OPELIKA CITY COUNCIL
" REGULAR MEETING MINUTES "
300 Martin Luther King Blvd.
April 21, 2020
TIME: 7:00 PM

1. Call to Order

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

2. Roll Call

Mr. Jones 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

Mr. Smith T provided the invocation.

1. Dozier Smith T City Council Ward 3.

4. Pledge of Allegiance

Mr. Jones lead the Pledge of Allegiance.

1. Russell Jones City Clerk/Treasurer.

5. Reading of Minutes
   1. Minutes from the 04-07-20 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 asked if the council had any questions about the financial summary report Mr. Motley or Cindy Boyd would be happy to answer their questions. Mayor Fuller then asked Mr. Motley to give the building report for March 2020. Mr. Motley went over the report for the council. Mayor Fuller also commended Opelika Power Services and Public Works road department for their timely responses and hard work after the recent storms. Mayor Fuller also thanked the first responders, environmental services and sanitary sewer department workers as well. Mayor Fuller also recognized that Opelika Power Services recently won an award for safety and he commended Derek Lee and his crew for their efforts. Finally, Mayor Fuller thanked the council and the citizens for their efforts to maintain social distancing and help flatten the curve of COVID-19 cases.

1. City's Financial Summary Report for March 2020.
2. March 2020 Building Report.

8. Citizen Communications

(Limit comments to five minutes or less)

9. Report of Disbursements

10. Committee Reports

11. General Business

12. Awarding of Bids

13. Resolutions

1. Resolution 074-20 Approve Refund to Sherqueria Melford.

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

2. Resolution 075-20 Grant Application for Second Chance Youth Reentry Program.

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

3. Resolution 076-20 Annual MWPP Reports for East and West Sewer Treatment Plants.

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

4. Resolution 077-20 Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.

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

5. Resolution 078-20 Approve update to HUD Citizen Participation Plan.

Ms. Pitts asked a question about additional funding to our CDBG fund due to the CARES act. Mr. Smith said that we had not received any addition funds at this time and the Mayor would be discussing that with Congressman Rogers on Friday. Mr. Smith explained that the CARES act only provided funds currently to municipalities with a population of 500,000 or more. Mr. Gunter then explained that there was some additional funding for the department of Housing and Urban Development in the CARES act, but it has not been determined how those funds will be distributed yet or if our CDBG fund will receive any of it. Ms. Pitts then asked if there were funds made available to small businesses would there be a process in place to make funds available to them. Mr. Smith recognized that small business were given funds in the first stimulus program and they are participating and receiving loans from that program.

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

14. Ordinances

Ms. Jones asked Mr. Gunter if the addendum was included in the Ordinance. Mr. Gunter answered that the addendum was to the current contract between the City and the buyers and it did not change any of the material terms of the contract.

1. Ordinance 010-20-ORD Authorize Sale of City Property, 1506 Harper St - 2nd Reading.
Ms. Jones introduced this ordinance for a first reading.

RESULT:	**FIRST READING INTRODUCED**

15. Appointments

16. Adjourn

The City Council meeting minutes of April 21st, 2020 are hereby adopted and approved this the 5th day of May, 2020.

/s/ Eddie Smith

_____

President of City Council

City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones

_____

Russell A. Jones

City Clerk - Treasurer

1. Character Trait of the Month - Humility, the quality or condition of being humble.
President Smith read the character trait of the month.
2. Motion to Adjourn
The council meeting ended at 7:12 pm.

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

City Council
204 South 7Th Street
Opelika, AL

ADOPTED

Meeting: 04/21/20 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4030

CM MINUTES (ID # 4030)

Minutes from the 04-07-20 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

OPELIKA CITY COUNCIL
" REGULAR MEETING MINUTES "
300 Martin Luther King Blvd.
April 7, 2020
TIME: 7:00 PM

1. Call to Order

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

2. Roll Call

Mr. Jones 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

Mr. Canon provided the invocation.

1. David Canon City Council Ward 5.

4. Pledge of Allegiance

Mr. Jones lead the Pledge of Allegiance.

1. Russell Jones City Clerk/Treasurer.

5. Reading of Minutes
   1. Minutes from the 03-17-20 Council Meeting.

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

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller thanked all of the essential departments that are still working and keeping the city running. Mayor Fuller then gave an update about what he and his administration are doing to combat the COVID-19 situation by contacting all the essential retailers that would be impacted by the 20% capacity rule being implemented on Wednesday April 8,2020. Mayor Fuller also informed the council that he was taking action to close all the parks and walking trails and his reasoning for doing so. President Smith thanked the Mayor on behalf of the council and the city for his leadership during these unusual circumstances.

8. Citizen Communications

9. Report of Disbursements

10. Committee Reports

11. General Business

12. Awarding of Bids

President Smith asked Mr. Motley to present the bids.

1. Bids 068-20 Installation of Conduit Systems by Open Trench Excavation Methods - OPS.

Attachment: CM minutes from 4-7-20 (4030 : Minutes from the 04-07-20 Council Meeting.)

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

2. Bids 069-20 Renovation to Covington Recreation Center - ENG.

Ms. Pitts asked a question about if the pool at Covington was being included in the renovations or if the pool was going to be removed. Mr. Motley explained the pool was not included in the renovations but not being removed, and the renovations are exclusively to the inside of the facility. Ms. Jones thanked the city on behalf of Ward 1 and the citizens of Opelika for this particular project coming to fruition.

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

13. Resolutions

1. Resolution 070-20 Expense Reports from various departments.

RESULT:	**APPROVED [4 TO 0]**
MOVER:	David Canon, Council Member
SECONDER:	Tiffany Gibson-Pitts, Council Member
AYES:	Tiffany Gibson-Pitts, Dozier Smith T, David Canon, Eddie Smith
ABSTAIN:	Patricia Jones

2. Resolution 071-20 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 072-20 Five (5) ADECA Grant Applications.

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

4. Resolution 073-20 Employment Contract for Joey Motley.

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

14. Ordinances

1. Ordinance Authorize Sale of City Property, 1506 Harper Street - 2nd Reading - TABLED.

President Smith asked if there was a motion to remove the item from the table. Mr. Canon made the motion to remove the item from the table and was seconded by Ms. Jones.

The following vote was recorded:

Ayes: Jones, Pitts, Smith T, Canon, Smith

Nays: None.

Attachment: CM minutes from 4-7-20 (4030 : Minutes from the 04-07-20 Council Meeting.)

Mayor Fuller asked what the status of the sale of the property was. President Smith explained to Mayor Fuller that there is a back-up contract for the same dollar amount.

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

2. Ordinance 009-20-ORD Granting Franchise to Spire Alabama - 1st Reading.

President Smith stated that Spire Alabama has been making payments to the city in spite of the fact that the contract had expired. Mr. Gunter confirmed that Spire Alabama indeed has been paying all franchise fees and are current on all business license fees. President Smith stated due to this it would be prudent of the council to suspend the rules and pass the ordinance during the current meeting. Ms. Jones introduced the ordinance. Then Ms. Jones made the motion to suspend the rules and was seconded by Mr. Canon.

The following vote was recorded:

Ayes: Jones, Pitts, Smith T, Canon. Smith

Nays: None.

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

15. Appointments

1. Reappoint Herbert Slaughter to the Opelika Utilities Board. New term ends 5-4-2026.

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

2. Reappoint Patricia Jones to the Opelika Utilities Board. New term ends 11-2-2020.

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

16. Adjourn

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

_____

President of City Council

City of Opelika, Alabama

ATTEST:

Attachment: CM minutes from 4-7-20 (4030 : Minutes from the 04-07-20 Council Meeting.)

_____

Russell A. Jones

City Clerk - Treasurer

1. Character Trait of the Month - Humility, the quality or condition of being humble. President Smith read the character trait of the month.
2. Motion to Adjourn

The council meeting ended at 7:16 pm.

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

Attachment: CM minutes from 4-7-20 (4030 : Minutes from the 04-07-20 Council Meeting.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 04/21/20 07:00 PM
Department: City Clerk
Category: Financial Statements
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4031

MAYOR'S REMARKS (ID # 4031)

City's Financial Summary Report for March 2020.

PRELIMINARY

City of Opelika
Combined Balance Sheet - All Funds and Account Groups (Interim Report)
March 31, 2020
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	$ 37,233	$ 20,883	$ 37	$ 1,187	$ -	$ 4,060	$ 37,472	$ -	$ -	$ 100,872
Certificates of deposit	21,987	5,000	-	-	-	-	8,529	-	-	35,516
Receivables:										
Accounts and unbilled service	-	-	-	180	-	-	5,077	-	-	5,257
Taxes	7,348	8,105	-	-	-	-	-	-	-	15,453
Licenses and fees	3,006	-	-	-	-	-	-	-	-	3,006
Fines and forfeitures	-	-	-	-	-	-	-	-	-	-
Assessments	195	-	-	-	-	-	-	-	-	195
Interest	(207)	-	-	-	3	-	2	-	-	(202)
Other	92	703	-	-	-	13	-	-	-	808
Due from other funds	154	-	-	-	3	-	8,374	-	-	8,531
Due from other governments	3,003	125	-	-	-	-	978	-	-	4,106
Inventories of supplies, at cost	106	-	-	-	-	-	1,172	-	-	1,278
Prepaid expenses	358	-	-	-	-	-	-	-	-	358
Investments	-	18	-	-	1,241	-	-	-	-	1,259
Investments with fiscal agent	-	-	953	-	-	-	807	-	-	1,760
Capital assets:										
Land	-	-	-	-	-	-	2,462	10,308	-	12,770
Buildings	-	-	-	-	-	-	13,666	45,437	-	59,103
Equipment	-	-	-	-	-	-	11,981	23,717	-	35,698
Utility systems	-	-	-	-	-	-	117,052	-	-	117,052
Infrastructure	-	-	-	-	-	-	-	119,355	-	119,355
Construction in progress	-	-	-	-	-	-	202	18,271	-	18,473
Total capital assets	-	-	-	-	-	-	145,363	217,088	-	362,451
Less: accumulated depreciation	-	-	-	-	-	-	(71,021)	(64,723)		(135,744)
Capital assets, net	-	-	-	-	-	-	74,342	152,365	-	226,707
Deposits	-	69	-	-	-	19	146	-	-	234
Amount to be provided for general long term debt									86,747	86,747
Total assets	73,275	34,902	990	1,367	1,247	4,093	136,898	152,367	86,747	491,886
DEFERRED OUTFLOWS OF RESOURCES										
Employer retirement contributions	-	-	-	-	-	-	1,528	-	-	1,528
Difference on projected OPEB earnings investments	-	-	-	-	-	-	638	-	-	638
Bond refunding costs	-	-	-	-	-	-	2,463	-	-	2,463
Total deferred outflows of resources	-	-	-	-	-	-	4,629	-	-	4,629
LIABILITIES										

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
Combined Balance Sheet - All Funds and Account Groups (Interim Report)
March 31, 2020
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
Accounts payable	511	106	-	2	-	13	8,165	-	-	8,797
Interest payable	-	-	-	-	-	-	107	-	-	107
Accrued payroll and benefits, due within one year	42	(8)	-	-	-	-	318	-	-	352
Due to other funds	5	154	-	-	-	-	8,408	-	-	8,567
Due to other governments	24	26	-	-	-	-	-	-	-	50
Claims and judgements, due within one year	-	-	-	-	-	312	-	-	-	312
Bonds payable due within one year	-	-	-	-	-	-	580	-	-	580
Claims and judgements, due in more than one year	-	-	-	-	-	136	-	-	-	136
Bonds payable, due in more than one year	-	-	-	-	-	-	28,934	-	86,747	115,681
Net pension liability	-	-	-	-	-	-	8,828	-	-	8,828
Accrued payroll & benefits, due in more than one year	-	-	-	-	-	-	1,545	-	-	1,545
Customer deposits held	-	-	-	-	-	-	3,159	-	-	3,159
Total liabilities	582	278	-	2	-	462	60,045	-	86,747	148,116
DEFERRED INFLOWS OF RESOURCES										
Net difference in earnings on retirement plan	-	-	-	-	-	-	418	-	-	418
Net change in OPEB assumptions	-	-	-	-	-	-	37	-	-	37
Unearned revenues	4,193	8,640	-	-	-	355	289	-	-	13,477
Total deferred inflows of resources	4,193	8,640	-	-	-	355	745	-	-	13,933
						817				
FUND BALANCES										
Nonspendable	100	69	-	-	1,144	-	-	-	-	1,313
Restricted	211	12,630	990	1,110	-	291	807	-	-	16,039
Committed	36	-	-	-	-	-	-	-	-	36
Assigned	17,868	12,537	-	-	-	2,980	-	-	-	33,385
Unassigned	37,301	(18)	(2)	184	103	-	-	-	-	37,568
Invested in capital assets, net of related debt	-	-	-	-	-	-	47,292	152,367	-	199,659
Unrestricted	-	-	-	-	-	-	29,618	-	-	29,618
Encumbrances	12,984	766	-	255	-	5	3,021	-	-	17,031
Total fund balances	68,501	25,984	990	1,364	1,247	3,276	80,737	152,367	-	334,466

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
Combined Statement of Revenues, Expenditures, and Changes in Fund Balance - All Governmental Funds and Account Groups (Interim
FYTD March 31, 2020
Thousands of dollars

	Governmental Funds					
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	Total
REVENUES:						
Taxes	$ 21,932	$ 8,090	$ -	$ -	$ -	$ 30,021
Special assessments	-	-	-	-	-	-
Licenses and permits	10,882	239	-	-	-	11,120
Intergovernmental	215	760	-	51	-	1,027
Charges for services	944	-	-	-	-	944
Fines and forfeits	176	-	-	-	-	176
Grants	4	-	-	-	-	4
Contributions	117	-	-	-	-	117
Investment income	302	70	4	2	25	405
Miscellaneous	195	-	-	-	-	195
Total revenues	34,767	9,159	4	53	25	44,009
EXPENDITURES:						
General government	3,629	135	-	-	4	3,767
Public safety	8,186	110	-	-	-	8,296
Public works	2,712	1	-	-	-	2,713
Health	192	-	-	-	-	192
Education	1,657	-	-	-	-	1,657
Welfare	73	-	-	-	-	73
Culture and recreation	2,943	-	-	-	-	2,943
Economic development	512	155	-	-	-	667
Capital outlay	4,625	(137)	-	(42)	-	4,447
Debt service:						
Principal retirement	-	-	5,965	-	-	5,965
Interest and fees	-	-	1,839	-	-	1,840
Total expenditures	24,530	264	7,804	(42)	4	32,561
Excess of revenues over/(under) expenditures	10,237	8,895	(7,801)	95	22	11,449
Other financing sources/(uses):						
Proceeds from debt issuance	-	-	49,704	-	-	49,704
Proceeds used to refund bonds	-	-	(46,315)	-	-	(46,315)
Sale of capital assets	2	-	-	-	-	2
Transfers from other funds	1,525	1,794	5,363	44	11	8,737
Transfers to other funds	(6,661)	(1,810)	-	-	(17)	(8,487)
Total other financing sources/(uses)	(5,134)	(16)	8,751	44	(6)	3,641
Net change in fund balances	5,103	8,879	951	139	16	15,090
Fund balances, beginning of the year	63,398	17,105	36	1,225	1,230	82,995
Fund balances, end of period	$ 68,501	$ 25,984	$ 988	$ 1,364	$ 1,247	$ 98,085

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

City of Opelika
Combined Balance Sheet (Interim Report)
Proprietary and Fiduciary Funds
March 31, 2020 Preliminary
Thousands of dollars

	Electric FYTD	Sewer FYTD	Solid Waste FYTD	Workmen's Comp. FYTD	Health Insurance FYTD
ASSETS					
Current assets:					
Cash	$ 26,765	$ 8,433	$ 2,241	$ 3,203	$ 857
Certificates of deposit	8,529	-	-	-	-
Receivables and prepaid expenses	4,462	334	283	-	13
Due from other funds and governments	8,408	944	-	-	-
Inventory	1,172	-	-	-	-
Total current assets	49,336	9,711	2,524	3,203	871
Restricted assets:					
Cash and investments with fiscal agent	200	606	-	-	-
Total restricted assets	200	606	-	-	-
Net capital assets	43,232	28,859	2,251	-	-
Other assets:					
Deposits	143	3	-	19	-
Total other assets	143	2	-	19	-
Total assets	92,911	39,179	4,775	3,222	871
DEFERRED OUTFLOWS OF RESOURCES					
Retirement contributions	1,004	-	374	-	-
Difference on projected OPEB earnings	450	-	169	-	-
Bond refunding costs	2,387	76	-	-	-
Total deferred outflows of resources	3,841	76	542	-	-
Total assets and deferred outflows of resources	96,753	$ 39,254	$ 5,318	$ 3,222	$ 871
LIABILITIES					
Current liabilities:					
Accounts and other payables	$ 8,480	$ 26	$ 85	$ 49	$ 276
Due to electric fund	-	-	-	-	-
Due to other funds	-	-	-	-	-
Bonds payable within one year	-	580	-	-	-
Unearned revenue	290	-	-	-	355
Total current liabilities	8,770	606	85	49	631
Noncurrent liabilities:					
Claims and employee benefits due in more than one year	1,119	-	408	136	-
Bonds payable, in more than one year, net	27,090	1,844	-	-	-
Net pension liability	5,484	-	1,885	-	-
Customer deposits held	2,992	-	167	-	-
Total noncurrent liabilities	36,686	1,844	2,461	136	-
Total liabilities	45,456	2,449	2,546	185	631
DEFERRED INFLOWS OF RESOURCES					
Difference on earnings on OPEB investments	21	-	8	-	-
Difference on earnings on plan investments	245	-	96	-	-
Total deferred inflows of resources	266	-	104	-	-
Total liabilities and deferred inflows of resources	45,722	2,449	2,650	185	631
NET POSITION					
Invested in capital assets, net of related debt	18,529	26,511	2,251	-	-
Restricted	200	606	-	612	-
Unrestricted	32,301	8,713	366	2,425	235
Encumbrances	1,704	975	51	-	5
Total net position	51,030	36,805	2,668	3,037	240
Total liabilities, deferred inflows, and net position	$ 96,752	$ 39,254	$ 5,319	$ 3,222	$ 871

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
Combined Summary Statement of Revenues, Expenses, and Changes in Net Position (Interim Report)
Proprietary and Fiduciary Funds
FYTD March 31, 2020 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	$ 19,711	$ 2,463	$ 1,791	$ 189	$ 1,930
Operating Expenses					
Purchases	12,165	-	192	-	-
Depreciation	1,485	543	182	-	-
Personnel services	1,566	-	606	-	-
Other	1,093	959	361	141	1,660
Total operating expenses	16,309	1,502	1,341	141	1,660
Operating income/(loss)	3,402	961	450	48	271
Nonoperating Revenues/(Expenses)					
Gain/(Loss) on sale of capital assets	33	-	(24)	-	-
Fiber optic line leases	8	-	-	-	-
Investment income	285	31	10	16	1
Grant income	-	18	-	-	-
Pole rental	67	-	-	-	-
Miscellaneous revenues	640	-	12	-	-
Interest expense and charges	(562)	(149)	-	-	-
Total nonoperating revenues/(expenses)	471	(100)	(2)	16	1
Other Revenues and Transfers In/(Out):					
Capital contributions	246	-	-	-	-
Transfers from other funds	-	-	-	-	-
Transfers to other funds	(1,500)	-	-	-	-
Total other revenues/(expenses)	(1,254)	-	-	-	-
Net Income/(loss)	2,619	861	448	64	272
Net position, beginning of year	48,411	35,944	2,220	2,972	(32)
Net position before encumbrances	51,030	36,805	2,668	3,037	240
Encumbrances	1,704	975	51	-	-
Net position, end of period	$ 49,327	$ 35,830	$ 2,617	$ 3,037	$ 240
Additional Information:					
Cash position at September 30, 2020	$ 26,765	$ 8,433	$ 2,241	$ 3,203	$ 857
Cash position at September 30, 2019	22,724	6,672	1,915	3,142	654
Change in cash	$ 4,041	$ 1,761	$ 326	$ 61	$ 204

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
General Fund Revenue and Expenditure Summary (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD March 2020 Preliminary
Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	**2020**	**Variance**	**2020 Budget**	**2020 Actual**	**Variance**
Revenues:						
Taxes	$ 20,568	$ 21,932	$ 1,363	$ 19,182	$ 21,932	$ 2,749
Licenses and permits	10,038	10,882	844	9,066	10,882	1,816
Intergovernmental	318	215	(103)	347	215	(132)
Charges for services	850	944	93	1,005	944	(61)
Fines and forfeits	227	176	(51)	217	176	(41)
Grants	4	4	-	-	4	4
Contributions	57	117	60	46	117	71
Investment income	365	302	(63)	225	302	77
Miscellaneous	180	195	16	166	195	30
Total revenues	32,608	34,767	2,159	30,254	34,767	4,513
Expenditures:						
General government	3,396	3,629	232	4,383	3,629	(755)
Public safety	8,059	8,186	128	9,431	8,186	(1,245)
Public works	2,563	2,712	150	3,328	2,712	(616)
Culture and recreation	2,902	2,943	42	3,672	2,943	(729)
Economic development	1,211	512	(699)	838	512	(326)
Health	189	192	3	201	192	(9)
Education	1,704	1,657	(47)	1,668	1,657	(12)
Welfare	70	73	3	76	73	(3)
Capital outlay	7,136	4,625	(2,511)	9,298	4,625	(4,673)
Debt service	373	-	(373)	345	-	(345)
Total expenditures	27,603	24,530	(3,073)	33,241	24,530	(8,711)
Other financing sources/(uses)						
Sale of capital assets	7	2	(5)	23	2	(21)
Transfers in	1,511	1,525	14	3,593	1,525	(2,068)
Transfer out	(4,903)	(6,661)	(1,758)	(5,911)	(6,661)	(750)
Total other financing sources/(uses)	(3,386)	(5,134)	(1,748)	(2,295)	(5,134)	(2,838)
Net change in fund balance	1,619	5,103	3,484	(5,283)	5,103	10,386
Fund balance, beginning of year	66,652	63,398	(3,254)	66,652	63,398	(3,254)
Fund balance, year to date	$ 68,271	$ 68,501	$ 230	$ 61,369	$ 68,501	$ 7,131
Less:						
Nonspendable	120	111	(9)	-	111	-
Restricted	200	211	11	-	211	-
Committed	33	36	3	-	36	-
Assigned	14,629	17,868	3,240	-	17,868	-
Encumbrances	19,734	12,984	(6,750)	-	12,984	-
	34,716	31,210	(3,506)	-	31,210	-
Unassigned fund balance	33,555	37,290	3,735	61,369	37,290	7,131
20% budgeted revenues	6,051	6,051		6,051	6,051	
Available unassigned fund balance	$ 27,504	$ 31,240		$ 55,319	$ 31,240	

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
General Fund Revenues (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD March 2020 Preliminary
Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	**2020**	**Variance**	**2020 Budget**	**2020 Actual**	**Variance**
Taxes:						
Sales	$ 15,932	$ 16,930	$ 998	$ 16,350	$ 16,930	$ 580
Property:						
Property	3,821	4,195	374	2,050	4,195	2,145
Payments in lieu of taxes	6	18	13	3	18	15
Total property taxes	3,827	4,214	387	2,053	4,214	2,161
Other						
Gasoline	406	395	(11)	410	395	(15)
Cigarette	38	37	-	30	37	7
Wine and liquor	14	16	2	14	16	2
Rental	351	340	(11)	325	340	15
Total other taxes	809	788	(21)	779	788	8
Total taxes	20,568	21,932	1,363	19,182	21,932	2,749
Licenses and permits:						
Occupational license	6,046	6,430	385	6,300	6,430	130
Business:						
General	2,823	2,934	112	1,500	2,934	1,434
Lodging	441	491	50	463	491	28
Franchise fee	268	300	32	258	300	42
Miscellaneous	140	235	96	130	235	105
Total business	3,671	3,960	289	2,350	3,960	1,610
Telecommunications permits and fees	9	2	(7)	11	2	(9)
Permits and inspections	307	483	175	400	483	83
Other	5	7	2	5	7	1
Total licenses and permits	10,038	10,882	844	9,066	10,882	1,816
Intergovernmental:						
Shared county motor vehicle	73	63	(10)	68	63	(5)
Shared state:						
Bank excise tax	-	14	14	100	14	(85)
Business privilege tax	-	-	-	37	-	(37)
Liquor tax profits	58	82	24	72	82	10
State asset forfeiture	-	2	2	8	2	(6)
Total shared state	58	98	40	216	98	(118)
Shared federal asset forfeiture	136	10	(126)	-	10	10
Other	51	44	-	347	44	(303)
Total intergovernmental	318	215	(96)	631	215	(416)
Charges for services:						
General government - other	10	13	3	12	13	1
Public Safety:						
Fire training	3	4	1	2	4	2
City schools	-	-	-	75	-	(75)
Auburn University	2	4	3	-	4	4
EAMC	46	104	58	80	104	24
Other	6	1	(4)	15	1	(14)
Health - Graves and monuments	92	71	(21)	76	71	(5)
Public Works - Paving and plan review f	21	54	33	15	54	39
Culture and Rec - Entry and concession f	670	692	22	745	692	(53)
Total charges for services	850	944	93	1,020	944	(77)
Fines and forfeits:						
Municipal Court	201	155	(46)	196	155	(40)
Red light violations	-	-	-	-	-	-
Other	25	21	(5)	22	21	(1)
Total fines and forfeits	227	176	(51)	217	176	(41)
Grant income	4	4	-	-	4	4
Contributions: Mobile Clinic	14	61	48	-	61	61
Contributions: Other	57	56	(1)	46	56	10
Investment income	365	302	(63)	225	302	77
Miscellaneous	180	195	16	166	195	30
Total revenues	32,621	34,767	2,152	30,554	34,767	4,213
Other financing sources						
Proceeds of general obligation debt	-	-	-	-	-	-
Operating transfers from Electric fund	1,500	1,500	-	1,500	1,500	-
Other transfers	11	25	14	2,093	25	(2,068)
Sale of capital assets	7	2	(5)	23	2	(21)

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
General Fund Revenues (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD March 2020 Preliminary
Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	**2020**	**Variance**	**2020 Budget**	**2020 Actual**	**Variance**
Total other financing sources	1,517	1,527	9	3,616	1,527	(2,089)
Total revenue and other financing	$ 34,139	$ 36,294	$ 2,155	$ 34,170	$ 36,294	$ 2,124

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

PRELIMINARY

City of Opelika
General Fund Expenditures (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD March 2020 Preliminary
Thousands of dollars

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
General government:						
Legislative	$ 178	$ 216	$ 38	$ 226	$ 216	$ (10)
Executive	105	115	10	358	115	(243)
Legal	200	177	(23)	280	177	(102)
Administration	222	309	87	388	309	(79)
Accounting	269	264	(5)	308	264	(44)
Human resources	147	245	97	247	245	(2)
Information technology	1,227	1,217	(10)	1,211	1,217	6
Revenue	211	188	(23)	244	188	(56)
Municipal court	184	177	(7)	208	177	(30)
Purchasing	133	137	4	159	137	(21)
Community development	85	110	25	131	110	(21)
Planning	199	219	20	303	219	(84)
Other - nondepartmental	235	255	19	299	255	(44)
Total general government	3,396	3,629	232	4,361	3,629	(732)
Public safety:						
Police	4,819	5,071	252	5,831	5,071	(760)
Probation	72	44	(28)	81	44	(37)
Fire	2,987	2,862	(126)	3,248	2,862	(387)
Other - nondepartmental	181	210	29	210	210	-
Total public safety	8,059	8,186	128	9,370	8,186	(1,183)
Public works:						
Streets	670	691	21	734	691	(44)
Engineering	275	382	107	515	382	(133)
Administration	249	250	1	272	250	(22)
Cemetery	111	119	9	118	119	1
Auto shop	266	271	5	530	271	(258)
Building maintenance	269	292	23	326	292	(35)
Inspection	254	224	(30)	328	224	(104)
Grounds maintenance	469	483	14	483	483	-
Total public works	2,563	2,712	150	3,306	2,712	(594)
Culture and recreation:						
Parks and recreation	2,360	2,384	24	2,974	2,384	(590)
Library	458	442	(16)	609	442	(167)
Other - nondepartmental	84	118	34	66	118	52
Total culture and recreation	2,902	2,943	42	3,649	2,943	(705)
Economic development:						
Development	172	184	12	291	184	(107)
Other - nondepartmental	1,039	328	(712)	541	328	(213)
Total economic development	1,211	512	(699)	833	512	(320)
Health:						
Animal control	36	36	-	43	36	(6)
Mobile Clinic	-	-	-	-	-	-
Other	153	156	3	157	156	(1)
Total health	189	192	3	200	192	(7)
Education	1,704	1,657	(47)	1,658	1,657	(1)
Welfare	70	73	3	75	73	(2)
Capital outlay	7,136	4,625	(2,511)	9,233	4,625	(4,608)
Debt service						
Principal retirement	359	-	(359)	340	-	(340)
Interest and charges	14	-	(14)	2	-	(2)
Total debt service	373	-	(373)	343	-	(343)
Total expenditures	27,603	24,530	(3,073)	33,026	24,530	(8,496)
Other financing uses						
Transfers out:						
Transfers to PR/Jail construction fund	1,610	1,743	132	1,700	1,743	43
Transfers to other funds	3,293	4,918	1,625	4,172	4,918	746
Total transfers out	4,903	6,661	1,758	5,872	6,661	788
Total expenditures and other financing uses	$ 32,506	$ 31,191	$ (1,315)	$ 38,898	$ 31,191	$ (7,708)

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

City of Opelika
Capital Outlay (Interim Report)
Comparison of Actual and Budget to Prior Year
FYTD March 2020 Preliminary
Thousands of dollars

	FYTD Actual			Budget to Actual		
	2019	2020	Variance	Budget	Actual	Variance
GENERAL FUND						
General Government:						
Legislative	$ -	$ -	$ -	$ -	$ -	$ -
Executive	-	-	-	-	-	-
Legal	-	-	-	-	-	-
Adminstration	-	-	-	-	-	-
Accounting	-	-	-	295	-	295
Human Resources	-	-	-	-	-	-
Information Technology	195	426	231	432	426	6
Revenue	-	-	-	-	-	-
Municipal Court	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-
Community Development	-	-	-	-	-	-
Planning	-	-	-	-	-	-
Health	-	-	-	101	-	101
Other	-	-	-	-	-	-
Total general government	195	426	231	727	426	301
Public Safety:						
Police	5,047	1,516	(3,531)	1,877	1,516	361
Probation	-	-	-	-	-	-
Fire	16	279	263	513	279	234
Total public safety	5,063	1,795	(3,268)	2,390	1,795	595
Public Works:						
Streets	942	1,332	390	2,641	1,332	1,309
Engineering	306	405	99	3,714	405	3,309
Administration	102	393	291	316	393	(77)
Cemetery	-	-	-	-	-	-
Auto Shop	-	-	-	-	-	-
Building Maintenance	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Grounds Maintenance	-	-	-	-	-	-
Total public works	1,350	2,130	780	6,671	2,130	4,541
Culture and Recreation:						
Parks and Recreation	501	253	(248)	150	253	(103)
Library	-	-	-	62	-	62
Total culture and recreatio	501	253	(248)	212	253	(41)
Economic development	-	-	-	-	-	-
Health, Education and Welfare	26	-	(26)	-	-	-
Total General Fund capital outlay ex	$ 7,135	$ 4,604	$ (2,531)	$ 10,000	$ 4,604	$ 5,396
PROPRIETARY FUNDS						
Electric	758	1,126	368	3,850	1,126	2,724
Telecommunications	38	-	(38)	64	-	64
Sewer	3,723	105	(3,618)	1,057	105	952
Solid Waste	421	394	(27)	188	394	(206)
Total Proprietary funds	4,940	1,625	(3,315)	5,159	1,625	3,534
OTHER GOVERNMENTAL FUN						
Municipal Complexes fund - Munici	-	2	2	24	2	22
4 & 5 Cent Gas Tax fund - Street Re	-	-	-	33	-	33
2011 Road Construction - Streets - F	(438)	-	438	-	-	-
2011 Road Construction - Street pav	-	-	-	-	-	-
2011 Road Construction - Other	71	-	(71)	-	-	-
Capital Improvement funds - Other	9	(149)	(158)	47	(149)	196
Industrial Road Grant funds - Other	7	3	(4)	103	3	100
Industrial Road Grant funds - Engine	1,152	(46)	(1,198)	16	(46)	62
Total Other Governmental	801	(190)	(991)	223	(190)	413
Total City of Opelika Capi	$ 12,876	$ 6,039	$ (6,837)	$ 15,382	$ 6,039	$ 9,343

Attachment: March 2020 Financial Statements (4031 : City's Financial Summary Report for March 2020.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 04/21/20 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: Tina Mnor
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 4028

MAYOR'S REMARKS (ID # 4028)

March 2020 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

Fiscal Year To Date Report - 2020

Building Repairs	Commercial	Residential
Buildings Condemned	0	2
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	
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
2019	$111,553,698.66

Total Permits Issued:

4	New Buildings: Commercial	$12,316,011.00
38	Commercial Renovations And Repairs	$7,456,759.00
16	Signs	$76,096.00
183	New Single Family Homes	$46,565,501.29
86	Residential Repairs And Renovations	$2,231,043.00
0	New Apartment Units	$0.00
0	New Duplex Residences	$0.00
66	Total Building Permits Issued	$0.00

393	Permit Total Issued for FY 2020	$68,645,410.29

Jeff Kappelman

JEFF KAPPELMAN
Chief Building Inspector

Attachment: March 2020 REVISED Building Inspection Monthly Reports (4028 : March 2020 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 March 2020

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	5	5
Plumbing Upgrades	0	3
Electrical Upgrades	2	5
Mechanical Upgrades	1	6
Reroofs And Roof Repairs	0	7
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	5

Monthly Totals For March 2010-2019

2010	$46,007,791.00
2011	$2,005,394.00
2012	$5,987,841.00
2013	$5,267,854.00
2014	$30,207,661.00
2015	$9,272,265.00
2016	$4,828,681.00
2017	$12,454,319.00
2018	$15,232,323.19
2019	$6,011,445.20

Total Permits Issued:

0	New Buildings: Commercial	$0.00
6	Commercial Renovations And Repairs	$4,831,141.00
2	Signs	$35,040.00
40	New Single Family Homes	$9,458,599.70
15	Residential Repairs And Renovations	$283,630.00
	New Apartment Units	
	New Duplex Residences	
	Total Building Permits Issued	

63	Total Permits Issued For March, 2019	**$14,608,410.70**

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman
Chief Building Inspector

Attachment: March 2020 REVISED Building Inspection Monthly Reports (4028 : March 2020 Building Report.)

City of Opelika Building Inspections Department
March 2020 Monthly Building Permit Detail Report

Issue Date	Main Address	Company	Work Class	Valuation
3/2/2020	3000 PEPPERELL PKWY 15	T&G CONSULTING GROUP LLC	Alteration	$ 45,000.00
3/2/2020	2000 PEPPERELL PKWY	BAILEY HARRIS CONST CO	Alteration	$ 390,191.00
3/3/2020	1210 LAKE ST	Michael Gross	Alteration	$ 25,000.00
3/3/2020	600 N 9TH ST	LEE WEISSINGER CONSTRUCTION	Addition	$ 150,000.00
3/3/2020	800 DONALD AVE	GOLD HILL CONSTRUCTION	Alteration	$ 9,850.00
3/3/2020	2691 MILL LAKES RDG	CLAYTON PROPERTIES GROUP INC	New Single Family Detached	$ 213,460.00
3/5/2020	1504 LEO LN	Clarence Richard	Accessory Buildings	$ 5,000.00
3/6/2020	4317 OAK BOWERY RD	Charlie Bryant	Accessory Buildings	$ 2,700.00
3/6/2020	2000 AUTREY ST	Richard Inman	Decks	$ 5,500.00
3/6/2020	307 N 8TH ST	PREFERRED CONTRACTOR	Roofs	$ 4,300.00
3/9/2020	1886 WILDWOOD DR	EDGAR HUGHSTON BUILDER INC	New Single Family Detached	$ 286,111.00
3/10/2020	2096 INTERSTATE Dr	SIGN SOURCE	Signs	$ 12,040.00
3/11/2020	3463 LAKESHORE DR DR	TOLAND CONSTRUCTION LLC	New Single Family Detached	$ 258,415.00
3/11/2020	2254 TIGER TOWN PKWY	COLUMBUS SIGNS & LIGHTING LLC	Signs	$ 23,000.00
3/11/2020	1800 RIDGE ST	Walter Preston	Accessory Buildings	$ 3,100.00
3/11/2020	1005 RANDOLPH ST	Charles Marbury	Decks	$ 5,000.00
3/13/2020	1401 DENSON DR	TRIPLE B CONSTRUCTION LLC	Roofs	$ 8,300.00
3/13/2020	4917 STONEWALL RD	MOORES CONSTRUCTION	New Single Family Detached	$ 277,480.00
3/13/2020	2708 JACKSON ST	BUILDERS PROFESSIONAL GRP LLC	New Single Family Detached	$ 221,155.10
3/13/2020	1503 NORTHGATE DR	SOUTHERN PROPERIES DEVELOPMENT & MANAGE	Roofs	$ 7,800.00
3/13/2020	915 GWYNNE'S WAY	BUILDERS PROFESSIONAL GRP LLC	New Single Family Detached	$ 237,431.00
3/13/2020	2815 ARLEE AVE	BUILDERS PROFESSIONAL GRP LLC	New Single Family Detached	$ 269,475.00
3/16/2020	700 GENEVA ST	GRACE DEVELOPMENTS LLC	Decks	$ 6,500.00
3/16/2020	601 6TH AVE	WAYNES ROOFING	Roofs	$ 2,800.00
3/17/2020	3130 MILL LAKES RDG	MATHEWS DEVELOPMENT CO LLC	New Single Family Detached	$ 254,908.00
3/17/2020	1700 JOLLIT AVE	Margaret Cobb	Accessory Buildings	$ 2,200.00
3/17/2020	1748 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 425,652.80
3/17/2020	2801 ROCKY BROOK RD	T&C HOMES	New Single Family Detached	$ 297,826.00

3/17/2020	734 OWENS WAY	STONE MARTIN BUILDERS	New Single Family Detached	$ 187,973.00
3/17/2020	816 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 331,394.10
3/17/2020	1033 HAMPSTEAD LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 257,264.10
3/17/2020	751 OWENS WAY	STONE MARTIN BUILDERS	New Single Family Detached	$ 147,919.50
3/17/2020	4115 BROADVIEW DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 187,973.00
3/17/2020	748 OWENS WAY	STONE MARTIN BUILDERS	New Single Family Detached	$ 196,012.70
3/17/2020	2830 MILL LAKES RDG	MATHEWS DEVELOPMENT CO LLC	New Single Family Detached	$ 221,466.00
3/17/2020	3110 MILL LAKES RDG	MATHEWS DEVELOPMENT CO LLC	New Single Family Detached	$ 221,466.00
3/17/2020	2896 LAKEVIEW TER	MATHEWS DEVELOPMENT CO LLC	New Single Family Detached	$ 218,962.00
3/17/2020	1012 HAMPSTEAD LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 181,879.30
3/18/2020	402 4TH Ave	DOUG HORN ROOFING	Roofs	$ 5,000.00
3/19/2020	3620 EAGLE NEST	CONNER BROTHERS CONSTRUCTION	New Single Family Detached	$ 195,295.00
3/19/2020	510 WALKER ST	MARSHALL DESIGN BUILD LLC	Addition	$ 3,600,000.00
3/20/2020	3617 QUAIL TRCE	CONNER BROTHERS CONSTRUCTION	New Single Family Detached	$ 268,037.00
3/20/2020	2000 EVANS DR	BC STONE HOMES, LLC	New Single Family Detached	$ 297,968.00
3/20/2020	672 TOWNE LAKE PKWY	STONE MARTIN BUILDERS	New Single Family Detached	$ 228,521.10
3/20/2020	3194 EAGLE TRL	CONNER BROTHERS CONSTRUCTION	New Single Family Detached	$ 172,969.00
3/20/2020	813 S RAILROAD AVE	CJCF LLC	Alteration	$ 10,000.00
3/20/2020	410 ETOWAH AVE	DOUG HORN ROOFING CO LLC	Roofs	$ 5,400.00
3/20/2020	3016 OLD OPELIKA RD	Francisco Morales	New Single Family Detached	$ 155,274.00
3/20/2020	1070 ODEN CT	STONE MARTIN BUILDERS	New Single Family Detached	$ 242,771.70
3/20/2020	3062 YARDS LN	CONNER BROTHERS CONSTRUCTION	New Single Family Detached	$ 169,717.00
3/20/2020	1849 NIGHTSONG LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 176,503.50
3/20/2020	1971 BOXWOOD WAY	EDGAR HUGHSTON BUILDER INC	New Single Family Detached	$ 262,552.00
3/23/2020	2610 MILL LAKES RDG	CLAYTON PROPERTIES GROUP INC	New Single Family Detached	$ 222,815.00
3/24/2020	1024 HAMPSTEAD LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 181,605.00
3/25/2020	600 CAR TECH DR MTR 3	MCCOY FIRE & SAFETY INC	Fire Alarm	$ 4,300.00
3/26/2020	4902 PEBBLE SHORE DR	Leslie Carlton	Accessory Buildings	$ 10,000.00
3/26/2020	206 AVENUE B A	GREGORY JONES	New Single Family Attached	$ 108,028.00
3/27/2020	3604 DOUBLE EAGLE LN	CHAMPION WINDOW CO OF BIRMINGHAM	Alteration	$ 13,300.00
3/27/2020	1853 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 335,759.00
3/27/2020	653 OWENS WAY	STONE MARTIN BUILDERS	New Single Family Detached	$ 245,719.40

3/27/2020	2069 NIGHTSONG LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 301,704.40
3/27/2020	1796 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 306,194.00
3/27/2020	1036 HAMPSTEAD LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 135,835.00
3/27/2020	3200 QUAIL RUN	CHAMPION WINDOW CO OF BIRMINGHAM	Alteration	$ 26,880.00
3/30/2020	4801 NORTHPARK DR	WHATLEY CONSTRUCTION LLC	Addition	$ 758,650.00
3/31/2020	504 CAMELOT WAY	GTR CONTRACTORS LLC	Roofs	$ 8,000.00
3/31/2020	3207 EAGLE TRL	CONNER BROTHERS CONSTRUCTION	New Single Family Detached	$ 182,584.00
3/31/2020	878 SKI SPRAY PT	ADAMSON CONSTRUCTION GROUP LLC	New Single Family Detached	$ 374,524.00
				$ 14,608,410.70

Jeff Kappelman

Jeff Kappelman
Chief Building Inspector

RESOLUTION NO. 074-20

Approve Refund to Sherqueria Melford.

RESOLUTION NO. _____

RESOLUTION APPROVING REFUND TO SHERQUERIA MELFORD OF SANITARY SEWER CHARGES PAID IN ERROR

WHEREAS, Sherqueria Melford has submitted a claim for the refund of sanitary sewer charges paid in error related to the premises located at 1610 Hanson Street; and

WHEREAS, the Public Works Director has verified that said claim is valid and the claimant is entitled to a refund in the amount of $549.00 for all sanitary sewer charges paid to the City of Opelika, Alabama (the "City"), for a thirty-six (36) month period beginning March, 2017 and ending March., 2020.

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

1. That the sum of $549.00 shall be refunded to Sherqueria Melford for the overpayment of sanitary sewer charges for the period beginning March, 2017 and ending March, 2020.

2. That the Public Works Director is hereby authorized to refund said overpayment to the claimant at the following address:

Sherqueria Melford

1610 Hanson Street

Opelika, AL 36801

APPROVED AND ADOPTED this _____ day of _____, 2020.

_____

PRESIDENT OF THE CITY COUNCIL

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 075-20

Grant Application for Second Chance Youth Reentry Program.

RESOLUTION NO._____

RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE FOR OJJDP FY 2020 SECOND CHANCE YOUTH REENTRY PROGRAM FUNDING.

WHEREAS, reducing the level of youth and adult crime is a major goal of the City Council of the City of Opelika, Alabama, (the "City"); and

WHEREAS, the City Council supports the mission of the Mayor's Commission on Crime and Violence to support programs that reduce youth recidivism; and

WHEREAS, the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention ("OJJDP") is soliciting proposals for FY2020 Second Chance Youth Offender Reentry Program funding; and

WHEREAS, the City of Opelika, Alabama (the "City") is eligible to apply for said funding; and

WHEREAS, the City Council requested that Seely & Long Associates prepare and submit to OJJDP a Second Chance grant application package on behalf of the City by the April 28, 2020 deadline for three-year funding to implement a Youth Incarceration Prevention Program ("YIPP").

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

1. That the Mayor is hereby authorized to execute and submit to U.S. Department of Justice, OJJDP, an application for Second Chance grant program funding in an amount not to exceed $750,000.

2. Upon approval of said application, the Mayor is hereby authorized and directed to execute a Grant Agreement with OJJDP and to carry out and comply with the terms of the Grant Agreement.

3. That the City agrees to accept the grant funds and comply with the terms of the grant as well as all applicable laws and regulations as stated in the Grant Agreement.

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

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

ADOPTED AND APPROVED this the 21st day of April, 2020.

_____

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

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 076-20

Annual MWPP Reports for East and West Sewer Treatment Plants.

RESOLUTION NO. _____

RESOLUTION APPROVING THE UPDATED MWPP ANNUAL REPORTS FOR THE EASTSIDE WASTWATER TREATMENT PLANT AND THE WESTSIDE WASTEWATER TREATMENT PLANT

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

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

The City of Opelika (the "City") informs the Department of Environmental Management that the following actions were taken:

1. Reviewed the MWPP Annual Reports for the Eastside and Westside Wastewater Treatment Plants; copies of which said reports are attached hereto and made a part of this Resolution.

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

   a) The City will currently be reviewing an expansion of the Westside Facility.

   b) The City is currently designing upgrades to several lift stations.

   c) The City will be installing selected transmission lines.

   d) The City used methods such as television inspections and smoke testing to repair and rehabilitate old lines.

3. That the City submit the 2020 Municipal Water Pollution Prevention Annual Reports for the City's two (2) wastewater treatment plants to the Alabama Department of Environmental Management.

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

_____

PRESIDENT OF THE CITY COUNCIL

OF THE CITY OF OPELIKA

ATTEST:

_____

CITY CLERK

MUNICIPAL WATER POLLUTION PREVENTION (MWPP)

ANNUAL REPORT

SUBMITTED BY:

TREATMENT FACILITY: Eastside WWTP NPDES #: AL0059218

MUNICIPALITY: Opelika COUNTY:

CONTACT PERSON: Michael J. Hilyer
Responsible Official
Public Works Director
Title
Telephone #: (334)705-5413 Fax #: (334)705-5452
Email Address: mhilyer@opelika-al.gov

CHIEF OPERATOR: Derrick Askew
Name
Telephone #: (334)705-5470 Fax #: (334)705-5452
Email Address: daskew@opelika-al.gov
Date: 4/14/2020

REVIEWED BY:
Consulting Engineer
Telephone #: Fax #:
Date:

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

MWPP Annual Report
Information Source List

The following information will be needed to complete the compliance maintenance report that covers the calendar year of 2019 (due **May 31,** 2020).

Part 1
A. The average plant influent flow for each month (million gallons per day/MGD) during the year.
B. The average plant influent BOD (CBOD) for each month (mg/l and lb/day) in the year.
C. The plant's average design flow (MGD) and design BOD (CBOD) loading (lbs/day).

Part 2
A. The monthly average permit and DMR effluent concentration for BOD (CBOD), TSS, NH3-N, and/or TKN in mg/l for the year
B. The monthly average effluent limits and DMR loading for BOD (CBOD), TSS, NH3-N, and/or TKN in lbs/day for the year

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

Part 4 Bypass and overflow information. This is the number of bypass or overflow events of untreated wastewater due to heavy rain or equipment failure whether intentional or inadvertent from all collection systems tributary to the treatment facility.

Part 5
A. Describe the characteristics and quantity of sludge generated.
B. If sludge is landspread, how many months of sludge storage does the plant have? This should include on-site and off-site storage from the treatment plant. The digestor capacity may be used in the calculation.

Part 6
A. Sludge Disposal Method
B. The number of approved land disposal sites for sludge available, and how many months or years these disposal sites will these be available for use.

Part 7 The number of sewer extensions installed in the community last year, the design population, design flow, and design BOD (CBOD) for each sewer extension.

Part 8 Operator Certification

Part 9 Financial Status

Part 10 Subjective Evaluation

Part 11 Summary Sheet

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

State of Alabama
MWPP Annual Report
Department of Environmental Management

Instructions to the Operator-in-Charge

1. Complete all sections of the MWPP Report to the best of your ability.

2. Parts 1 through 8 contain questions for which points will be generated. These points are intended to communicate to the Department and the governing body or owner the actions necessary to prevent effluent violations. Enter the point totals from Parts 1 through 8 on Part 11: Summary Sheet.

3. Add the point totals on Part 11: Summary Sheet.

4. Submit the MWPP Report to the governing body and the consulting engineer and owner for review and approval.

5. The governing body should pass a resolution which contains the following points:

   a. The resolution should acknowledge the governing body or owner has reviewed the MWPP Report.

   b. The resolution should indicate what actions will be taken to prevent effluent violations.

   c. The resolution should provide any other information the governing body or owner deems appropriate.

6. **The MWPP Report and the resolution must be submitted by May 31st to Municipal Section, Water Division, ADEM, P.O. Box 301463, Montgomery, AL 36130-1463.**

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 1: Influent Loading/Flows

A. List the average monthly volumetric flows and BOD_5 ($CBOD_5$) loadings received at your facility during the last calendar year.

Month	Column 1 Average Monthly Flowrate (MGD)	Column 2 Average Monthly BOD_5 ($CBOD_5$) Concentration (mg/l)	Column 3 Average Loading BOD_5 ($CBOD_5$) (lbs/day**)
January	2.5	130	2766
February	2.02	132	2255
March	1.7	121	1685
April	1.7	134	1985
May	1.8	125	1908
June	1.4	116	1375
July	1.43	123	1503
August	1.35	133	1475
September	1.32	169	1871
October	1.49	163	2022
November	1.57	167	2166
December	1.76	140	1985
Annual Avg.	1.67	137	1916

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

B. List the average design flow and average design BOD_5 ($CBOD_5$) loading for the facility below. If you are not aware of these design quantities, contact your consulting engineer.

	Average Design Flow	Average Design BOD_5 ($CBOD_5$) Loading (lbs/day)
Design Criteria	5.0	10,425
90% of the Design Criteria	4.5	9,383

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

C. How many times did the monthly flow (Column 1) to the WWTP exceed 90% of design flow?

0 (Check the appropriate point total)

■ 0 - 4 = 0 points ☐ 5 or more = 5 points

D. How many times did the monthly flow (Column 1) to the WWTP exceed the design flow?

0 (Check the appropriate point total)

■ 0 = 0 points ☐ 1 – 2 = 5 points ☐ 3 – 4 =10 points ☐ 5 or more =15 points

E. How many times did the monthly BOD_5 ($CBOD_5$)* loading (lbs/day) (Column 3) to the WWTP exceed 90% of the design loading?

0 (Check the appropriate point total)

■ 0 -1 = 0 points ☐ 2 – 4 =5 points ☐ 5 or more =10 points

F. How many times did the monthly BOD_5 ($CBOD_5$)* loading (lbs/day) (Column 3) to the WWTP exceed the design loading?

0 (Check the appropriate point total)

■ 0 = 0 points ☐ 1 = 10 points ☐ 2 =20 points ☐ 3 =30 points ☐ 4 =40 points ☐ 5 or more =50 point

G. Enter each point value marked for C through F and enter the sum in the appropriate blank below.

C points = 0

D points = 0

E points = 0

F points = 0

TOTAL POINTS VALUE FOR PART 1 0

Enter this value on Part 11: Summary Sheet.

*To obtain equivalent BOD_5 loading for comparison with design loading for those permittees using influent $CBOD_5$, divide annual average $CBOD_5$, loading in lbs/day from Part 1, A by 0.7.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 2: Effluent Quality/Plant Performance

A. List the monthly average permit limits for the facility in the blanks below and the average monthly effluent DMR BOD_5, ($CBOD_5$) TSS, NH_3-N and/or TKN concentration produced by the facility during the last calendar year.

(1) NPDES Permit Concentration

	Months	BOD_5 ($CBOD_5$) (mg/l)	TSS (mg/l)	NH_3-N (mg/l)	TKN (mg/l)
Permit Limit	5-11	9	30	2.0	REPORT
	12-4	15	30	4.0	REPORT

(2) DMR Concentration

Qtr	Month	BOD_5 ($CBOD_5$) (mg/l)	TSS (mg/l)	NH_3-N (mg/l)	TKN (mg/l)
1	January	2.0	4.8	0.07	0.63
	February	1.68	5.2	0.03	1.24
	March	1.64	5.5	0.04	1.65
2	April	1.86	3.1	0.04	1.01
	May	1.38	2.5	0.07	0.95
	June	1.48	3.2	0.05	0.57
3	July	1.49	3.6	0.05	1.16
	August	1.66	4.1	0.06	0.0
	September	1.94	3.5	0.07	0.0
4	October	1.73	3.3	0.05	0.0
	November	1.95	4.0	0.07	1.28
	December	1.88	6.0	0.07	0.0
	Annual Avg.	1.7	4.0	0.05	0.70

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

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

(1) NPDES Permit Loading

	Months	BOD_5 ($CBOD_5$) (lbs/day)	TSS (lbs/day)	NH_3-N (lbs/day)	TKN (lbs/day)
Permit Limit	5-11	375	1251	83.4	REPORT
	12-4	625	1251	166	REPORT

(2) DMR Loading

Qtr	Month	BOD_5 ($CBOD_5$) (lbs/day)	TSS (lbs/day)	NH_3-N (lbs/day)	TKN (lbs/day)
1	January	42	102	1.51	15
	February	28	87	0.54	24
	March	22	76	0.63	29
2	April	27	46	0.68	14
	May	21	39	1.16	13
	June	17	38	0.60	7
3	July	17	40	0.71	10
	August	18	46	0.68	0
	September	21	38	0.83	0
4	October	21	41	0.73	0
	November	25	51	0.92	17
	December	27	89	1.13	0
	Annual Avg.	23.8	57.7	0.84	10.7

C. During the past year did the BOD_5 ($CBOD_5$) concentration (mg/l) and/or loading (lbs/day) exceed the product of 1.4 times the monthly average permit limit during two months of any consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

D. During the past year did the BOD_5 ($CBOD_5$) concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

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

☒ No = 0 points ☐ Yes = 121 points

F. During the past year did the TSS concentration (mg/l) and/or loading (lbs/day) exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

G. During the past year did the NH_3-N or TKN concentration (mg/l) and/or loading (lbs/day) exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

H. During the past year did either the NH_3-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

I. Enter each point value checked for C through H in the blanks below.

C Points = 0
D Points = 0
E Points = 0
F Points = 0
G Points = 0
H Points = 0

HIGHEST INDIVIDUAL POINT VALUE FOR PART 2 (C-H) 0 (HIGHEST POINT = 121)
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 3: Age of the Wastewater Treatment Facility

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

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

Age = (Last Calendar year) - (Answer to A)

Age 14 = (2020) - (2006)

Enter Age in Part C below.

B. Check the type of treatment facility employed.

		Factor
X	Mechanical Treatment Plant	2.0
_____	Aerated Lagoon	1.5
_____	Stabilization Pond	1.0
_____	Other (Specify: _____)	1.0

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

2.0 (Factor) x 14 (Age) = 28 TOTAL POINT VALUE FOR PART 3

Enter the above value on Part 11: Summary Sheet. If the total point value exceeds 40, enter 40 on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 4: Bypassing and Overflows

A. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTP due to heavy rain? 0

B. How many bypass or overflow events of untreated wastewater occurred in the last year prior to the headworks of the WWTP due to heavy rain? 0

C. How many of the bypass or overflow events listed in Parts A and B have been corrected such that future bypass or overflow events at the same location due to heavy rain are not anticipated? 0

D. Add together Answers A and B and subtract Answer C from that total.

A + B – C = 0 (Check the appropriate point total.)

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

E. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTP due to equipment failure? (This includes clogged/broken lines or manholes.) 0

F. How many bypass or overflow events of untreated wastewater occurred in the last year due to equipment failure prior to the headworks of the WWTP? (This includes clogged/broken lines or manholes.) 0

G. How many of the bypass or overflow events listed in Parts E and F have been corrected such that future bypass or overflow events at the same location due to the same equipment failure are not anticipated? 0

H. Add together Answers E and F and subtract Answer G from that total.

E + F – G = 0 (Check the appropriate point total.)

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

I. Add point values checked in D and H and enter the total in the blank below.

TOTAL POINT VALUE FOR PART 4 0
Enter this value on Part 11: Summary Sheet.

All bypass or overflow events that have occurred in the last year (for any reason) must be individually reported with this MWPP report.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 5: Sludge Quantity and Storage

A. Please provide information concerning sludge quantity, characteristics, and storage practices based on available data as requested on the *MWPP Sewage Sludge Survey,* ADEM Form 419.

B. How many months of sludge storage capacity does the wastewater treatment facility have available, either on-site or off-site? (i.e., How many months can the facility operate without land spreading or disposing of sludge?) 12+

(Check the appropriate point total.)

Greater than or equal to 4 months	☐	= 0 points
Less than 4 months, but greater than or equal to 3 months	☐	= 10 points
Less than 3 months, but greater than or equal to 2 months	☐	= 20 points
Less than 2 months, but greater than or equal to 1 month	☐	= 30 points
Less than one month	☐	= 50 points

TOTAL POINT VALUE FOR PART 5 0
Enter this value on Part 11: Summary Sheet.

Part 6: Sludge Disposal Practices and Sites

A. Please provide the sludge disposal practices and site information based on available data as requested on the *MWPP Sewage Sludge Survey,* ADEM Form 419.

B. How many months or years does the facility have access to and approval for sufficient land disposal sites to provide proper land disposal? (Check the appropriate point total.)

36 or more months	☒	= 0 points
24 - 35 months	☐	= 10 points
12 - 23 months	☐	= 20 points
6 - 11 months	☐	= 30 points
Less than 6 months	☐	= 50 points

TOTAL POINT VALUE FOR PART 6 0
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 7: New Development

Are there any major new developments (industrial, commercial, or residential) in the last calendar year or anticipated in the next 2-3 years such that either flow or BOD_5 ($CBOD_5$) loadings to the sewage system could significantly increase? Estimate additional loadings below.

Design Population Equivalent (PE): _____ Design Flow: _____MGD Design BOD_5 ($CBOD_5$):_____lbs/day

List industrial and/or residential developments.

_____

_____

_____

_____

Will the additional loading overload the plant?
(Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

Enter the point total in the blank below.

TOTAL POINT VALUE FOR PART 7 0 (highest point total = 121)
Enter this value on Part 11: Summary Sheet.

Part 8: Operator Certification

Complete the *Plant and Collection System Personnel Inventory,* ADEM Form 441.

Do both the plant operator and collection system staffing comply with ADEM Administrative Code; Division 10, Operator Certification Program?
(Check the appropriate point total.)

☒ Yes = 0 points ☐ No = 121 points

TOTAL POINT VALUE FOR PART 8 0 (highest point total = 121)
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 9: Financial Status

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

Fee's are charged for size of tap and length. Ranges from 4" at $1,160 for tap and $10.00/ linear foot to 6" tap at $1,200/ linear foot.

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

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

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

B. What financial resources are available to pay for the wastewater improvements and/or reconstruction needs?

Capitol Budget of City.

C. Please attach a rate sheet and the most recent audit, if available.

Part 10: Subjective Evaluation

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

Corrosion of some equipment; Grounds are in neat condition and physical condition is good.

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

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

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

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

D. What is the theoretical design life of the plant, and what is the estimated remaining useful life of the wastewater treatment facility?

15-20 years

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

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

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

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

Preventive maintenance using card system.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

I. Does this preventive maintenance program depict frequency of intervals, types of lubrication, and other preventive maintenance tasks necessary for each piece of equipment?

(Check the appropriate response.) ☒ Yes ☐ No

J. Are these preventive maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assessed properly?

(Check the appropriate response.) ☒ Yes ☐ No

K. Describe any major repairs or mechanical equipment replacement made in the last year and include the approximate cost for those repairs. Do not include major treatment plant construction or upgrading programs.

UV Bulbs $6,000; UV Ballasts $6,400; Flow Meter Calibrations $600

Influent Motors $3,200; Aerator repair $7,500

L. List any additional comments. (Attach additional sheets if necessary.)

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Eastside WWTP

Part 11: Summary Sheet

1. Enter in the values from Parts 1 through 8 in the left column below. Add the numbers in the left column to determine the MWPP Report point total the wastewater system generated for the previous calendar year.

	Actual Values	Maximum Possible
Part 1	0 points	80 points
Part 2	0 points	121 points
Part 3	24 points	40 points
Part 4	0 points	200 points
Part 5	0 points	50 points
Part 6	0 points	50 points
Part 7	0 points	121 points
Part 8	0 points	121 points
Total	24 points	783 points

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

- [x] Mechanical plant with surface water discharge
- [ ] Aerated Lagoon or stabilization pond with surface water discharge
- [ ] Mechanical plant using land disposal of liquid wastes
- [ ] Aerated Lagoon or stabilization pond using land disposal of liquid wastes

3. Check the range that describes the action needed to address problems identified in the report.

- [x] 0 - 70 points Actions as Appropriate*
- [ ] 71 - 120 points Departmental Recommendation Range*
- [ ] 121 – 783 points Municipality Action Range*

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

4. Complete the *Municipal Water Pollution Prevention Resolution Form*, ADEM Form 418.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

5. In Question 1, do any of the actual point values in the left column equal the maximum possible points in the right column?

(Check the appropriate response.) ☐ Yes ■ No

If yes, provide a written explanation for this situation in the space below.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

MWPP SEWAGE SLUDGE SURVEY

Facility Background Information:

1. Facility Information
   Opelika Eastside WWTF Permit Number: AL0059218
   Name: City of Opelika
   Street Address: 3010 Columbus Parkway, Opelika,Al 36801
   County: Lee

2. Facility Contact
   Name: Michael J. Hilyer
   Title: Public Works Director
   Telephone: (334) 705-5413
   Permittee Name: City of Opelika
   Mailing Address: P.O.Box390
   Opelika,Al 36803

Facility Flow Information

1. Facility Wastewater Treatment Capacity
   Avg. Daily Flow for 2018: 1.7 MGD
   Facility Design Capacity: 5.0 MGD

2. Estimated Septage Quantity Handled (Residuals Removed from Septic Tank Systems)
   Average Domestic Septage: 0 gallons per month
   Average Commercial Septage: 0 gallons per month

3. Method of Septage Processing
   ☐ Mixed with Influent Wastewater for Treatment
   ☐ Mixed with Sewage Sludge
   ☐ Septage not accepted at this facility

4. Estimated Percentage Contributing Wastewater Flow
   Residential: 85 %
   Industrial: 15 %
   Other: ____ % Describe: ____

5. List type of wastewater treatment process(es) utilized at this facility:
   Aerobic activated sludge treatment, w/anoxic tanks

6. Estimated sewage sludge wasting rate at this facility: ____ lb/day dry weight
   or 4,500 gallons per day

7. Estimated untreated sludge received from off site: ____ lb/day dry weight
   or 0 gallons per day

8. Estimated percent solids of combined sewage sludge prior to treatment: 7.5 %

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

9. List the sewage sludge treatment processes used in preparing sludge for final use or disposal:

	Sludge Quantity (untreated pounds per day)
Activated sludge, secondary treatment	28.2

10. Estimate the total volume of sludge generated: 0.4 (dry U.S. tons per year)

Sludge Disposal Methods

1. Which of the following describes the current method of sewage sludge disposal for this facility:

	Current Practices Approved by ADEM		Current Practices Quantity	Proposed Practices Approved by ADEM	
	Yes	No	(dry U.S. tons/year)	Yes	No
a. ☐ Land Application, Bulk Shipped					
☐ Agriculture	☐	☐		☐	☐
☐ Forest	☐	☐		☐	☐
☐ Public Contact	☐	☐		☐	☐
☐ Lawn/Home Garden	☐	☐		☐	☐
b. ☐ Land Application, Bagged/Other Container					
☐ Agriculture	☐	☐		☐	☐
☐ Forest	☐	☐		☐	☐
☐ Public Contact	☐	☐		☐	☐
☐ Lawn/Home Garden	☐	☐		☐	☐
c. ☐ Incineration	☐	☐		☐	☐
d. ☐ Subtitle D Landfill (Disposal Only)	☐	☐		☐	☐
e. ☐ Lined Treatment Lagoon or Stabilization Pond	☐	☐		☐	☐
f. ☐ Unlined Lagoon or Stabilization Pond	☐	☐		☐	☐
g. ☐ Other (Please Describe)	☐	☐		☐	☐

2. If "f" was selected above and sludge is stored for 2 or more years, enter the distance between the surface disposal site and the property line: 150 feet

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Pollutant Concentrations

1. Enter the total concentrations of the following analytes using existing data. Do not enter TCLP results.

Analyte	Concentration (mg/kg or ppm)	Sample Type	Sample Date	Detection Level of Analysis
Arsenic				
Cadmium				
Chromium				
Copper				
Lead				
Mercury				
Molybdenum				
Nickel				
Selenium				
Zinc				
Ammonium-Nitrogen				
Nitrate-Nitrogen				
Total Kjeldahl Nitrogen				

2. Enter the estimated or determined percent solids of the sewage sludge when sampled for the above analysis: _____ %

Treatment Provided for Sewage Sludge at the Facility

1. Which class of pathogen reduction does the sewage sludge meet at the facility? (As defined in 40 CFR Part 503)

- ☐ Class A
  - ☐ Alternative A1 - Time and Temperature
  - ☐ Alternative A2 - Alkaline Treatment
  - ☐ Alternative A3 - Analysis and Operation
  - ☐ Alternative A4 - Analysis Only
  - ☐ Alternative A5 - Processes to Further Reduce Pathogens (PFRP)
    - ☐ Heat Drying
    - ☐ Pasteurization
    - ☐ Composting
    - ☐ Thermophilic Aerobic Digestion
    - ☐ Gamma Ray Irradiation
    - ☐
    - ☐ Heat Treatment
    - ☐ Beta Ray Irradiation
    - ☐
  - ☐ Alternative A6 - PFRP Equivalent _____
- ☐ Class B
  - ☐ Alternative B1 - Fecal Coliform Count
  - ☐ Alternative B2 - Process to Significantly Reduce Pathogens (PSRP)
    - ☐ Aerobic Digestion
    - ☐ Composting
    - ☐ Air Drying
    - ☐ Lime Stabilization
    - ☐ Anaerobic Digestion
  - ☐ Alternative B3 - PSRP Equivalent _____
- ☐ Neither or Unknown

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Vector Attraction Control

- ☐ Option 1 - Minimum 38% Reduction in Volatile Solids
- ☐ Option 2 - Anaerobic Processes, with Bench-Scale Demonstration of Volatile Solids Reduction
- ☐ Option 3 - Aerobic Processes, with Bench-Scale Demonstration of Volatile Solids Reduction
- ☐ Option 4 - Specific Oxygen Uptake Rate (SOUR) for Aerobically Digested Sludge
- ☐ Option 5 - Aerobic Processes plus Elevated Temperature
- ☐ Option 6 - Raised pH to 12 and Retained at 11.5
- ☐ Option 7 - 75% Solids with no Unstabilized Solids
- ☐ Option 8 - 90% Solids with Unstabilized Solids
- ☐ Option 9 - Injection Below Land Surface
- ☐ Option 10 - Incorporation into Soil within 6 or 8 Hours
- ☐ Option 11 Covering Active Sewage Sludge Unit Daily
- ☐ None of the Above

Groundwater Monitoring

1. If disposal practice is surface disposal or land application, is groundwater monitoring required or performed at the site?

☐ Yes
☐ No

(If yes, please submit a copy of the groundwater monitoring reports along with this survey. Also please provide the approximate depth to groundwater and the groundwater monitoring procedures used to obtain the data.)

Land Application of Sewage Sludge

Answer the following questions if sewage sludge is applied to land.

1. If sewage sludge is land applied in bulk form, what type of crop or other vegetation is grown on this site?

_____

_____

_____

2. If sewage sludge is land applied in bulk form, what is the nitrogen requirement for this crop or vegetation?

_____

_____

_____

3. If sewage sludge is land applied in bulk form, briefly describe the nature of any complaints filed from neighbors?

_____

_____

_____

Note: Permittees that submitted the "Annual Report Review Form" for sludge to the EPA may submitt a copy with the MWPP in lieu of this Attachment.

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

PLANT AND COLLECTION SYSTEM PERSONNEL INVENTORY

FACILITY NAME: City of Opelika PLANT GRADE: III

PERMIT NUMBER: AL0059218

PLANT SUPERINTENDENT: Derrick Askew TEL. # 334-705-5475

SYSTEM MANAGER: Michael J. Hilyer TEL. # 334-705-5413

PLANT OPERATORS:

	NAME	GRADE OR TRAINEE STATUS	OPERATOR NO.	EXP. DATE
1.	Derrick Askew	III	C001492	9/30/2020
2.	William Dawkins	IV	C001889	4/30/2021
3.	Cole Gedig	II	C008055	4/30/2021
4.				
5.				
6.				
7.				
8.				
9.				
10.				

COLLECTION SYSTEM OPERATORS:

1.				
2.				
3.				
4.				

	MAN HRS./WK	NUMBER
MANAGEMENT/SUPERVISOR	40	
OPERATOR(S):		
GRADE I-C		
GRADE I		
GRADE II	40	
GRADE III		
GRADE IV	40	
DESIGNATED TRAINEE(S)		
LABORATORY		
MAINTENANCE		
OTHER PLANT WORKERS	40	

AVERAGE NUMBER OF EMPLOYEES PER SHIFT:

		START TIME
1ST	2.5	7:00am
2ND		
3RD		

OPERATOR SHIFTS NORMALLY WORKED EACH DAY:

	SUN	MON	TUES	WED	THURS	FRI	SAT
1ST	X	X	X	X	X	X	X
2ND							
3RD							

ADEM USE ONLY

	YES	NO
1. DOES PLANT OPERATOR STAFFING COMPLY WITH DIVISION 10 OF ADEM ADMINISTRATIVE CODE?		
2. DOES COLLECTION SYSTEM OPERATOR STAFFING COMPLY WITH DIVISION 10 OF ADEM ADMINISTRATIVE CODE?		

ADEM FORM 441 8/02

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Municipal Water Pollution Prevention Resolution Form

MUNICIPAL WATER POLLUTION PREVENTION (MWPP) PROGRAM

RESOLVED that the (City), (Board) of _____

informs the Department of Environmental Management that the following

actions were taken by (governing body) _____.

1. Reviewed the MWPP Annual Report which is attached to this resolution.

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

   (a)

   (b)

   (c)

   (d)

Passed by a (majority)(unanimous) vote of the _____
on (date).

_____

_____
Clerk

Attachment: MWPP Annual Report - Eastside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

MUNICIPAL WATER POLLUTION PREVENTION (MWPP)

ANNUAL REPORT

SUBMITTED BY:

TREATMENT FACILITY: Westside WWTP NPDES #: AL0050130

MUNICIPALITY: Opelika COUNTY: _____

CONTACT PERSON: Michael J. Hilyer
Responsible Official
Public Works Director
Title
Telephone #: (334)705-5413 Fax #: (334)705-5452
Email Address: mhilyer@opelika-al.gov

CHIEF OPERATOR: Derrick Askew
Name
Telephone #: (334)705-5470 Fax #: (334)705-5452
Email Address: daskew@opelika-al.gov
Date: 4/14/2020

REVIEWED BY: _____
Consulting Engineer
Telephone #: _____ Fax #: _____
Date: _____

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

MWPP Annual Report
Information Source List

The following information will be needed to complete the compliance maintenance report that covers the calendar year of 2019 (due **May 31,** 2020).

Part 1
A. The average plant influent flow for each month (million gallons per day/MGD) during the year.
B. The average plant influent BOD (CBOD) for each month (mg/l and lb/day) in the year.
C. The plant's average design flow (MGD) and design BOD (CBOD) loading (lbs/day).

Part 2
A. The monthly average permit and DMR effluent concentration for BOD (CBOD), TSS, NH3-N, and/or TKN in mg/l for the year
B. The monthly average effluent limits and DMR loading for BOD (CBOD), TSS, NH3-N, and/or TKN in lbs/day for the year

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

Part 4 Bypass and overflow information. This is the number of bypass or overflow events of untreated wastewater due to heavy rain or equipment failure whether intentional or inadvertent from all collection systems tributary to the treatment facility.

Part 5
A. Describe the characteristics and quantity of sludge generated.
B. If sludge is landspread, how many months of sludge storage does the plant have? This should include on-site and off-site storage from the treatment plant. The digestor capacity may be used in the calculation.

Part 6
A. Sludge Disposal Method
B. The number of approved land disposal sites for sludge available, and how many months or years these disposal sites will these be available for use.

Part 7 The number of sewer extensions installed in the community last year, the design population, design flow, and design BOD (CBOD) for each sewer extension.

Part 8 Operator Certification

Part 9 Financial Status

Part 10 Subjective Evaluation

Part 11 Summary Sheet

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

State of Alabama
MWPP Annual Report
Department of Environmental Management

Instructions to the Operator-in-Charge

1. Complete all sections of the MWPP Report to the best of your ability.

2. Parts 1 through 8 contain questions for which points will be generated. These points are intended to communicate to the Department and the governing body or owner the actions necessary to prevent effluent violations. Enter the point totals from Parts 1 through 8 on Part 11: Summary Sheet.

3. Add the point totals on Part 11: Summary Sheet.

4. Submit the MWPP Report to the governing body and the consulting engineer and owner for review and approval.

5. The governing body should pass a resolution which contains the following points:

   a. The resolution should acknowledge the governing body or owner has reviewed the MWPP Report.

   b. The resolution should indicate what actions will be taken to prevent effluent violations.

   c. The resolution should provide any other information the governing body or owner deems appropriate.

6. **The MWPP Report and the resolution must be submitted by May 31st to Municipal Section, Water Division, ADEM, P.O. Box 301463, Montgomery, AL 36130-1463.**

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 1: Influent Loading/Flows

A. List the average monthly volumetric flows and BOD_5 ($CBOD_5$) loadings received at your facility during the last calendar year.

Month	Column 1 Average Monthly Flowrate (MGD)	Column 2 Average Monthly BOD_5 ($CBOD_5$) Concentration (mg/l)	Column 3 Average Loading BOD_5 ($CBOD_5$) (lbs/day**)
January	3.8	112	3394
February	2.7	119	2716
March	2.8	112	2886
April	2.9	110	2636
May	3.5	110	3101
June	2.8	111	2654
July	2.6	116	2499
August	2.4	129	2526
September	2.2	143	2726
October	2.1	155	2768
November	2.7	163	2758
December	2.7	135	2966
Annual Avg.	2.7	126	2802

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

B. List the average design flow and average design BOD_5 ($CBOD_5$) loading for the facility below. If you are not aware of these design quantities, contact your consulting engineer.

	Average Design Flow	Average Design BOD_5 ($CBOD_5$) Loading (lbs/day)
Design Criteria	4.0	6672
90% of the Design Criteria	3.6	6005

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

C. How many times did the monthly flow (Column 1) to the WWTP exceed 90% of design flow?

2 (Check the appropriate point total)

■ 0 - 4 = 0 points ☐ 5 or more = 5 points

D. How many times did the monthly flow (Column 1) to the WWTP exceed the design flow?

0 (Check the appropriate point total)

■ 0 = 0 points ☐ 1 – 2 = 5 points ☐ 3 – 4 =10 points ☐ 5 or more =15 points

E. How many times did the monthly BOD_5 ($CBOD_5$)* loading (lbs/day) (Column 3) to the WWTP exceed 90% of the design loading?

0 (Check the appropriate point total)

■ 0 -1 = 0 points ☐ 2 – 4 =5 points ☐ 5 or more =10 points

F. How many times did the monthly BOD_5 ($CBOD_5$)* loading (lbs/day) (Column 3) to the WWTP exceed the design loading?

0 (Check the appropriate point total)

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

G. Enter each point value marked for C through F and enter the sum in the appropriate blank below.

C points = 0

D points = 0

E points = 0

F points = 0

TOTAL POINTS VALUE FOR PART 1 0
Enter this value on Part 11: Summary Sheet.

*To obtain equivalent BOD_5 loading for comparison with design loading for those permittees using influent $CBOD_5$, divide annual average $CBOD_5$, loading in lbs/day from Part 1, A by 0.7.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 2: Effluent Quality/Plant Performance

A. List the monthly average permit limits for the facility in the blanks below and the average monthly effluent DMR BOD_5, ($CBOD_5$) TSS, NH_3-N and/or TKN concentration produced by the facility during the last calendar year.

(1) NPDES Permit Concentration

	Months	BOD_5 ($CBOD_5$) (mg/l)	TSS (mg/l)	NH_3-N (mg/l)	TKN (mg/l)
Permit Limit	5-11	10	30	1.1	REPORT
	12-4	15	30	1.1	REPORT

(2) DMR Concentration

Qtr	Month	BOD_5 ($CBOD_5$) (mg/l)	TSS (mg/l)	NH_3-N (mg/l)	TKN (mg/l)
1	January	1.93	4.9	0.43	1.12
	February	1.97	5.5	0.71	1.14
	March	2.04	3.9	0.40	3.32
2	April	2.42	3.5	0.65	3.16
	May	1.56	3.7	0.38	1.14
	June	1.53	1.8	0.26	0.79
3	July	1.68	2.1	0.15	1.26
	August	1.82	6.0	0.56	1.13
	September	1.94	3.3	0.71	3.42
4	October	1.82	2.1	0.65	0.85
	November	2.02	2.7	0.29	1.73
	December	1.86	3.9	0.54	1.19
	Annual Avg.	1.88	3.61	0.47	1.68

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

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

(1) NPDES Permit Loading

	Months	BOD_5 ($CBOD_5$) (lbs/day)	TSS (lbs/day)	NH_3-N (lbs/day)	TKN (lbs/day)
Permit Limit	5-11	333	1000	36.6	REPORT
	12-4	500	1000	36.6	REPORT

(2) DMR Loading

Qtr	Month	BOD_5 ($CBOD_5$) (lbs/day)	TSS (lbs/day)	NH_3-N (lbs/day)	TKN (lbs/day)
1	January	58.5	148	13.1	50
	February	44.6	124	16.4	25
	March	49.7	97	10.3	105
2	April	57	84	15.2	69
	May	45.9	110	10.2	26
	June	36.2	43	6.2	20
3	July	36.0	44.5	3.2	27
	August	35.5	108	10.8	39
	September	36.4	62	16.3	114
4	October	32.5	38	11.6	17
	November	34.2	45	4.9	32
	December	47.9	97	13.3	18
	Annual Avg.	42.8	83.3	10.9	45.1

C. During the past year did the BOD_5 ($CBOD_5$) concentration (mg/l) and/or loading (lbs/day) exceed the product of 1.4 times the monthly average permit limit during two months of any consecutive quarters? (Check the appropriate point total.)

■ No = 0 points ☐ Yes = 121 points

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

D. During the past year did the BOD_5 ($CBOD_5$) concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

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

☒ No = 0 points ☐ Yes = 121 points

F. During the past year did the TSS concentration (mg/l) and/or loading (lbs/day) exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

G. During the past year did the NH_3-N or TKN concentration (mg/l) and/or loading (lbs/day) exceed the product of 1.4 times the monthly average permit limit during two months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

H. During the past year did either the NH_3-N or TKN concentration (mg/l) and/or loading (lbs/day), exceed the monthly average permit limit during four months of any two consecutive quarters? (Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

I. Enter each point value checked for C through H in the blanks below.

C Points = 0
D Points = 0
E Points = 0
F Points = 0
G Points = 0
H Points = 0

HIGHEST INDIVIDUAL POINT VALUE FOR PART 2 (C-H) 0 (HIGHEST POINT = 121)
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 3: Age of the Wastewater Treatment Facility

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

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

Age = (Last Calendar year) - (Answer to A)

Age 34 = (2020) - (1986)

Enter Age in Part C below.

B. Check the type of treatment facility employed.

		Factor
X	Mechanical Treatment Plant	2.0
	Aerated Lagoon	1.5
	Stabilization Pond	1.0
	Other (Specify:)	1.0

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

2.0 (Factor) x 34 (Age) = 68 TOTAL POINT VALUE FOR PART 3

Enter the above value on Part 11: Summary Sheet. If the total point value exceeds 40, enter 40 on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 4: Bypassing and Overflows

A. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTP due to heavy rain? 0

B. How many bypass or overflow events of untreated wastewater occurred in the last year prior to the headworks of the WWTP due to heavy rain? 2

C. How many of the bypass or overflow events listed in Parts A and B have been corrected such that future bypass or overflow events at the same location due to heavy rain are not anticipated? 2

D. Add together Answers A and B and subtract Answer C from that total.

A + B – C = 0 (Check the appropriate point total.)

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

E. How many bypass or overflow events of untreated wastewater occurred in the last year at the WWTP due to equipment failure? (This includes clogged/broken lines or manholes.) 0

F. How many bypass or overflow events of untreated wastewater occurred in the last year due to equipment failure prior to the headworks of the WWTP? (This includes clogged/broken lines or manholes.) 0

G. How many of the bypass or overflow events listed in Parts E and F have been corrected such that future bypass or overflow events at the same location due to the same equipment failure are not anticipated? 0

H. Add together Answers E and F and subtract Answer G from that total.

E + F – G = 0 (Check the appropriate point total.)

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

I. Add point values checked in D and H and enter the total in the blank below.

TOTAL POINT VALUE FOR PART 4 0
Enter this value on Part 11: Summary Sheet.

All bypass or overflow events that have occurred in the last year (for any reason) must be individually reported with this MWPP report.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 5: Sludge Quantity and Storage

A. Please provide information concerning sludge quantity, characteristics, and storage practices based on available data as requested on the *MWPP Sewage Sludge Survey,* ADEM Form 419.

B. How many months of sludge storage capacity does the wastewater treatment facility have available, either on-site or off-site? (i.e., How many months can the facility operate without land spreading or disposing of sludge?) 12+

(Check the appropriate point total.)

Greater than or equal to 4 months	☐	= 0 points
Less than 4 months, but greater than or equal to 3 months	☐	= 10 points
Less than 3 months, but greater than or equal to 2 months	☐	= 20 points
Less than 2 months, but greater than or equal to 1 month	☐	= 30 points
Less than one month	☐	= 50 points

TOTAL POINT VALUE FOR PART 5 0
Enter this value on Part 11: Summary Sheet.

Part 6: Sludge Disposal Practices and Sites

A. Please provide the sludge disposal practices and site information based on available data as requested on the *MWPP Sewage Sludge Survey,* ADEM Form 419.

B. How many months or years does the facility have access to and approval for sufficient land disposal sites to provide proper land disposal? (Check the appropriate point total.)

36 or more months	■	= 0 points
24 - 35 months	☐	= 10 points
12 - 23 months	☐	= 20 points
6 - 11 months	☐	= 30 points
Less than 6 months	☐	= 50 points

TOTAL POINT VALUE FOR PART 6 0
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 7: New Development

Are there any major new developments (industrial, commercial, or residential) in the last calendar year or anticipated in the next 2-3 years such that either flow or BOD_5 ($CBOD_5$) loadings to the sewage system could significantly increase? Estimate additional loadings below.

Design Population Equivalent (PE): _____ Design Flow: _____MGD Design BOD_5 ($CBOD_5$):_____lbs/day

List industrial and/or residential developments.

_____

_____

_____

_____

Will the additional loading overload the plant?
(Check the appropriate point total.)

☒ No = 0 points ☐ Yes = 121 points

Enter the point total in the blank below.

TOTAL POINT VALUE FOR PART 7 0 (highest point total = 121)
Enter this value on Part 11: Summary Sheet.

Part 8: Operator Certification

Complete the *Plant and Collection System Personnel Inventory,* ADEM Form 441.

Do both the plant operator and collection system staffing comply with ADEM Administrative Code; Division 10, Operator Certification Program?
(Check the appropriate point total.)

☒ Yes = 0 points ☐ No = 121 points

TOTAL POINT VALUE FOR PART 8 0 (highest point total = 121)
Enter this value on Part 11: Summary Sheet.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 9: Financial Status

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

Fee's are charged for size of tap and length. Ranges from 4" at $1,160 for tap and $10.00/ linear foot to 6" tap at $1,200/ linear foot.

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

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

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

B. What financial resources are available to pay for the wastewater improvements and/or reconstruction needs?

Capitol Budget of City.

C. Please attach a rate sheet and the most recent audit, if available.

Part 10: Subjective Evaluation

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

Corrosion of some equipment; Grounds are in neat condition and physical condition is good.

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

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

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

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

Upgrade to Westside WWTP.

D. What is the theoretical design life of the plant, and what is the estimated remaining useful life of the wastewater treatment facility?

15-20 years

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

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

Yes

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

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

Preventive maintenance using card system.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

I. Does this preventive maintenance program depict frequency of intervals, types of lubrication, and other preventive maintenance tasks necessary for each piece of equipment?

(Check the appropriate response.) ☒ Yes ☐ No

J. Are these preventive maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assessed properly?

(Check the appropriate response.) ☒ Yes ☐ No

K. Describe any major repairs or mechanical equipment replacement made in the last year and include the approximate cost for those repairs. Do not include major treatment plant construction or upgrading programs.

Lift Station Pump repairs $40,000; Check Valves $6,400; Flow Meter Calibrations $600

Aerator repair $30,500

L. List any additional comments. (Attach additional sheets if necessary.)

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Facility Name: Westside WWTP

Part 11: Summary Sheet

1. Enter in the values from Parts 1 through 8 in the left column below. Add the numbers in the left column to determine the MWPP Report point total the wastewater system generated for the previous calendar year.

	Actual Values	Maximum Possible
Part 1	0 points	80 points
Part 2	0 points	121 points
Part 3	40 points	40 points
Part 4	0 points	200 points
Part 5	0 points	50 points
Part 6	0 points	50 points
Part 7	0 points	121 points
Part 8	0 points	121 points
Total	40 points	783 points

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

- [x] Mechanical plant with surface water discharge
- [ ] Aerated Lagoon or stabilization pond with surface water discharge
- [ ] Mechanical plant using land disposal of liquid wastes
- [ ] Aerated Lagoon or stabilization pond using land disposal of liquid wastes

3. Check the range that describes the action needed to address problems identified in the report.

- [x] 0 - 70 points Actions as Appropriate*
- [ ] 71 - 120 points Departmental Recommendation Range*
- [ ] 121 – 783 points Municipality Action Range*

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

4. Complete the *Municipal Water Pollution Prevention Resolution Form*, ADEM Form 418.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

5. In Question 1, do any of the actual point values in the left column equal the maximum possible points in the right column?

(Check the appropriate response.) ☐ Yes ■ No

If yes, provide a written explanation for this situation in the space below.

Plant is 34 years old.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

MWPP SEWAGE SLUDGE SURVEY

Facility Background Information:

1. Facility Information
   Name: Westside WWTP Permit Number: AL0050130
   Name: City of Opelika
   Street Address: 1017 Grand National Pkwy.
   County: Lee

2. Facility Contact
   Name: Derrick Askew
   Title: Plant Manager
   Telephone: (334) 705-5470
   Permittee Name: City of Opelika
   Mailing Address: 700 Fox Trail
   Opelika,Al 36801

Facility Flow Information

1. Facility Wastewater Treatment Capacity
   Avg. Daily Flow for 2019: 2.8 MGD
   Facility Design Capacity: 4.0 MGD

2. Estimated Septage Quantity Handled (Residuals Removed from Septic Tank Systems)
   Average Domestic Septage: 60,000 gallons per month
   Average Commercial Septage: 0 gallons per month

3. Method of Septage Processing
   ☐ Mixed with Influent Wastewater for Treatment
   ☐ Mixed with Sewage Sludge
   ☐ _____

4. Estimated Percentage Contributing Wastewater Flow
   Residential: 90 %
   Industrial: 10 %
   Other: _____ % Describe: _____

5. List type of wastewater treatment process(es) utilized at this facility:
   Activated Sludge, Secondary Treatment

6. Estimated sewage sludge wasting rate at this facility: 117 lb/day dry weight
   or 25,000 gallons per day

7. Estimated untreated sludge received from off site: 0 lb/day dry weight
   or 0 gallons per day

8. Estimated percent solids of combined sewage sludge prior to treatment: 7.5 %

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

9. List the sewage sludge treatment processes used in preparing sludge for final use or disposal:

	Sludge Quantity (untreated pounds per day)
Aerobic Sludge	0

10. Estimate the total volume of sludge generated: 21 (dry U.S. tons per year)

Sludge Disposal Methods

1. Which of the following describes the current method of sewage sludge disposal for this facility:

	Current Practices: Approved by ADEM Yes	Current Practices: Approved by ADEM No	Current Practices: Quantity (dry U.S. tons/year)	Proposed Practices: Approved by ADEM Yes	Proposed Practices: Approved by ADEM No
a. ☐ Land Application, Bulk Shipped					
☐ Agriculture	☐	☐		☐	☐
☐ Forest	☐	☐		☐	☐
☐ Public Contact	☐	☐		☐	☐
☐ Lawn/Home Garden	☐	☐		☐	☐
b. ☐ Land Application, Bagged/Other Container					
☐ Agriculture	☐	☐		☐	☐
☐ Forest	☐	☐		☐	☐
☐ Public Contact	☐	☐		☐	☐
☐ Lawn/Home Garden	☐	☐		☐	☐
c. ☐ Incineration	☐	☐		☐	☐
d. ☐ Subtitle D Landfill (Disposal Only)	☐	☐		☐	☐
e. ☐ Lined Treatment Lagoon or Stabilization Pond	☐	☐		☐	☐
f. ☐ Unlined Lagoon or Stabilization Pond	☐	☐		☐	☐
g. ☐ Other (Please Describe)	☐	☐		☐	☐

2. If "f" was selected above and sludge is stored for 2 or more years, enter the distance between the surface disposal site and the property line: 500 feet

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Pollutant Concentrations

1. Enter the total concentrations of the following analytes using existing data. Do not enter TCLP results.

Analyte	Concentration (mg/kg or ppm)	Sample Type	Sample Date	Detection Level of Analysis
Arsenic				
Cadmium				
Chromium				
Copper				
Lead				
Mercury				
Molybdenum				
Nickel				
Selenium				
Zinc				
Ammonium-Nitrogen				
Nitrate-Nitrogen				
Total Kjeldahl Nitrogen				

2. Enter the estimated or determined percent solids of the sewage sludge when sampled for the above analysis: _____ %

Treatment Provided for Sewage Sludge at the Facility

1. Which class of pathogen reduction does the sewage sludge meet at the facility? (As defined in 40 CFR Part 503)

- ☐ Class A
  - ☐ Alternative A1 - Time and Temperature
  - ☐ Alternative A2 - Alkaline Treatment
  - ☐ Alternative A3 - Analysis and Operation
  - ☐ Alternative A4 - Analysis Only
  - ☐ Alternative A5 - Processes to Further Reduce Pathogens (PFRP)
    - ☐ Heat Drying
    - ☐ Pasteurization
    - ☐ Composting
    - ☐ Thermophilic Aerobic Digestion
    - ☐ Gamma Ray Irradiation
    - ☐
    - ☐ Heat Treatment
    - ☐ Beta Ray Irradiation
    - ☐
  - ☐ Alternative A6 - PFRP Equivalent _____
- ☐ Class B
  - ☐ Alternative B1 - Fecal Coliform Count
  - ☐ Alternative B2 - Process to Significantly Reduce Pathogens (PSRP)
    - ☐ Aerobic Digestion
    - ☐ Composting
    - ☐ Air Drying
    - ☐ Lime Stabilization
    - ☐ Anaerobic Digestion
  - ☐ Alternative B3 - PSRP Equivalent _____
- X ☐ Neither or Unknown

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Vector Attraction Control

- ☐ Option 1 - Minimum 38% Reduction in Volatile Solids
- ☐ Option 2 - Anaerobic Processes, with Bench-Scale Demonstration of Volatile Solids Reduction
- ☐ Option 3 - Aerobic Processes, with Bench-Scale Demonstration of Volatile Solids Reduction
- ☐ Option 4 - Specific Oxygen Uptake Rate (SOUR) for Aerobically Digested Sludge
- ☐ Option 5 - Aerobic Processes plus Elevated Temperature
- ☐ Option 6 - Raised pH to 12 and Retained at 11.5
- ☐ Option 7 - 75% Solids with no Unstabilized Solids
- ☐ Option 8 - 90% Solids with Unstabilized Solids
- ☐ Option 9 - Injection Below Land Surface
- ☐ Option 10 - Incorporation into Soil within 6 or 8 Hours
- ☐ Option 11 Covering Active Sewage Sludge Unit Daily
- ☐ None of the Above

Groundwater Monitoring

1. If disposal practice is surface disposal or land application, is groundwater monitoring required or performed at the site?

- ☐ Yes
- ☐ No

(If yes, please submit a copy of the groundwater monitoring reports along with this survey. Also please provide the approximate depth to groundwater and the groundwater monitoring procedures used to obtain the data.)

Land Application of Sewage Sludge

Answer the following questions if sewage sludge is applied to land.

1. If sewage sludge is land applied in bulk form, what type of crop or other vegetation is grown on this site?

_____

_____

_____

2. If sewage sludge is land applied in bulk form, what is the nitrogen requirement for this crop or vegetation?

_____

_____

_____

3. If sewage sludge is land applied in bulk form, briefly describe the nature of any complaints filed from neighbors?

_____

_____

_____

Note: Permittees that submitted the "Annual Report Review Form" for sludge to the EPA may submitt a copy with the MWPP in lieu of this Attachment.

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

PLANT AND COLLECTION SYSTEM PERSONNEL INVENTORY

FACILITY NAME: City of Opelika Westside WWTP PLANT GRADE: III

PERMIT NUMBER: AL0050130

PLANT SUPERINTENDENT: Derrick Askew TEL. # (334) 705-5470

SYSTEM MANAGER: Michael J. Hilyer TEL. # (334) 705-5413

PLANT OPERATORS:

NAME	GRADE OR TRAINEE STATUS	OPERATOR NO.	EXP. DATE
1. Derrick Askew	III	C001492	9/30/2020
2. Larry Granger	IV	C000470	3/31/2021
3. Joseph Adams	IV	C008119	6/30/2018
4. Jerrell Webb	II	C009198	9/30/2020
5. Willis Scott	II	C001810	9/30/2022
6.			
7.			
8.			
9.			
10.			

COLLECTION SYSTEM OPERATORS:

1. Rodney Thomas	IC	C005684	5/31/2019
2.			
3.			
4.			

	MAN HRS./WK	NUMBER
MANAGEMENT/SUPERVISOR	40	
OPERATOR(S):		
GRADE I-C	40	
GRADE I		
GRADE II	40	
GRADE III		
GRADE IV	80	
DESIGNATED TRAINEE(S)		
LABORATORY		
MAINTENANCE	80	
OTHER PLANT WORKERS	40	

AVERAGE NUMBER OF EMPLOYEES PER SHIFT:

1ST	7
2ND	
3RD	

START TIME
7:00 AM

OPERATOR SHIFTS NORMALLY WORKED EACH DAY:

	SUN	MON	TUES	WED	THURS	FRI	SAT
1ST	X	X	X	X	X	X	X
2ND							
3RD							

ADEM USE ONLY

	YES	NO
1. DOES PLANT OPERATOR STAFFING COMPLY WITH DIVISION 10 OF ADEM ADMINISTRATIVE CODE?		
2. DOES COLLECTION SYSTEM OPERATOR STAFFING COMPLY WITH DIVISION 10 OF ADEM ADMINISTRATIVE CODE?		

ADEM FORM 441 8/02

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

Municipal Water Pollution Prevention Resolution Form

MUNICIPAL WATER POLLUTION PREVENTION (MWPP) PROGRAM

RESOLVED that the (City), (Board) of _____

informs the Department of Environmental Management that the following

actions were taken by (governing body) _____.

1. Reviewed the MWPP Annual Report which is attached to this resolution.

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

   (a)

   (b)

   (c)

   (d)

Passed by a (majority)(unanimous) vote of the _____
on (date).

_____

_____
Clerk

Attachment: MWPP Annual Report - Westside 04142020 (076-20 : Annual MWPP Reports for East and West Sewer Treatment Plants.)

RESOLUTION NO. 077-20

Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.

RESOLUTION NO. _____

RESOLUTION APPROVING CERTAIN TAX ABATEMENTS AND EXEMPTIONS FOR AGS DISTRIBUTION, INC. AND AGS HOLDINGS, LLC

WHEREAS, AGS Distribution, Inc., an Alabama corporation, (the "Company") operates an automotive warehousing and distribution facility (the "Facility") located at 685 Fox Trail, Opelika, Alabama 36801 within the corporate limits of the City; and

WHEREAS, the Company and AGS Holdings, LLC, a limited liability company (the "Holding Company") have announced plans for a major addition (the "Project") to the existing Facility located at 685 Fox Trail, Opelika, Alabama, within the jurisdiction of the City; and

WHEREAS, the Project, including a building expansion and the acquisition of new manufacturing machinery and other personal property, will result in a capital investment of up to two million nine hundred and fifty thousand dollars ($2,950,000.00) and will result in the creation of approximately sixty-two (62) full-time jobs at the Facility; and

WHEREAS, the Project will require a capital investment by the Holding Company in the amount of approximately eight hundred thousand dollars ($800,000.00) for building improvements; and

WHEREAS, the Project will require a capital investment by the Company in the amount of two million one hundred fifty thousand dollars ($2,150,000.00) to purchase and install new personal property, including manufacturing equipment, at the site of the Facility; and

WHEREAS, the Project is estimated to be placed in service by December 31, 2020; and

WHEREAS, the Project will be operated by the Company as an "industrial or research enterprise" as defined under Alabama Code §40-9B-3(a)(10); and

WHEREAS, the Company's NAICS Code 493100 meets the qualifications of an industrial or research enterprise in accordance with §40-9B-3(6), *Code of Alabama,* as amended; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1, et seq, *Code of Alabama*, 1975) (the "Act"), the Company and the Holding Company have requested from the City the abatement of (a) all state and local non-education ad valorem taxes (property taxes) for a period of ten (10) years; and (b) all construction related transaction taxes (sales and

use taxes), except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, pursuant to the authority granted to the City under Article IV of Chapter 51 of Title 11, *Code of Alabama*, the Company and the Holding Company have requested from the City a complete exemption of non-educational City ad valorem taxes (property taxes) for the project for a period of fifteen (15) years; and

WHEREAS, the City has considered the requests of the Company and the Holding Company and each of their respective completed forms CO:CAA Application to Granting Abatement Authority for Abatement of Taxes filed by the Company and the Holding Company with the City in connection with their requests (separately the "Abatement Application" or collectively "Abatement Applications"); and

WHEREAS, the City has found the information contained in the Abatement Applications to be sufficient to permit the City to make a reasonable cost/benefit analysis of the proposed Project and to determine the economic benefits to the community; and

WHEREAS, according to the Abatement Applications, the Project will require an aggregate initial capital investment of approximately two million nine hundred fifty thousand dollars ($2,950,000.00), which includes the construction of the expansion of the building, the purchase of the personal property to be installed at the Facility and related costs; and

WHEREAS, the City Council has been furnished a copy of Tax Abatement Agreement by and between the City and the Company, and the City Council has determined that the general terms of such Abatement Agreement are acceptable to the City in principle; and

WHEREAS, the City Council has been furnished a copy of Tax Abatement Agreement by and between the City and the Holding Company, and the City Council has determined that the general terms of such Abatement Agreement are acceptable to the City in principle; and

WHEREAS, the Company and the Holding Company are duly qualified to do business in the State of Alabama and have the power to enter into and to perform and observe the agreements and covenants on their part contained in the respective Abatement Agreements; and

WHEREAS, the City represents and warrants to the Company and the Holding Company that the City has the power under the Constitution and the laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of the respective Abatement Agreements; and

WHEREAS, the City wishes to secure the numerous and significant benefits to the City, its business community and residents that will likely result from the expanded use of the Facility due to the building improvements and the installation of new manufacturing machinery and other new personal property.

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

1. Approval is hereby given to the Abatement Application of the Company and the Abatement Application of the Holding Company and abatement is hereby authorized of (1) all state and local non-educational property taxes for a period of ten (10) years; and (2) all construction-related transaction (sales and use) taxes, except those construction-related transaction taxes levied for educational purposes or for capital improvements for education as the same may apply to the fullest extent permitted by the Act. The period of abatement for non-educational property taxes shall extend for a period of ten (10) years as provided in Section 40-9B-3(a)(12) of the Act.

2. In addition, pursuant to Title 11, Article 4 of Chapter 51, *Code of Alabama*, the City agrees to grant to the Company and the Holding Company a complete exemption for non-educational City ad valorem taxes for a period of fifteen (15) years.

3. The abatements and exemptions granted herein do not include any ad valorem taxes earmarked for city and county schools and school district purposes. The tax abatements and exemptions for ad valorem taxes under paragraphs 1 and 2 shall not exceed the maximum abatement allowed by state law.

4. The Mayor and the City Clerk are hereby authorized and directed to execute the Tax Abatement Agreements with the Company and the Holding Company and such other ancillary documents and agreements as may be necessary to provide the abatements and exemptions granted in paragraphs 1 and 2 above.

5. A certified copy of this resolution, with Applications and Abatement Agreements, shall be forwarded to the Company and the Holding Company to deliver to the appropriate taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

6. 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 caused 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.

7. This resolution shall take effect upon 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

Tax Abatement Agreement

This Abatement Agreement is made and entered into as of this 21st day of April, 2020, by and between City of Opelika (the Granting Authority), and AGS Holdings (the Company), its successors and assigns.

WHEREAS, the Company's North American Industry Classification System (NAICS) Code, 493100 or business activity_____ meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(10), ***Code of Alabama 1975***, as amended; and

WHEREAS, the Company has announced plans for a (check one):

□ new project o r ☒ major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority;

WHEREAS, the Project is estimated to be completed by the 31st day of December, 2020; and

WHEREAS the Project will be located in the County of Lee (check only one)

☒ inside the city limits of Opelika.

☒ inside the police jurisdiction of Opelika.

□ outside the city limits and police jurisdiction of the City of _____; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B1 et seq., ***Code of Alabama 1975***) (the Act), the Company has requested from the Granting Authority an Abatement of: (check all that apply)

☒ all state and local noneducational property taxes,

☒ all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

□ all mortgage and recording taxes with respect to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the public authority, county or municipal government;

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, at its meeting held on the 21st day of April, 2020 (the Meeting), the Granting Authority approved the Company's application for abatement of (check all that apply):

☒ all state and local noneducational property taxes;

Attachment: AGS Holdings Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.)

X all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education; and/or

□ all mortgage and recording taxes with respect to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the public authority, county or municipal government;

WHEREAS, the Project will consist of private use industrial development property, which is composed of all real and/or related personal property to be acquired, constructed, and installed thereon, as described in Attachment One hereto; and

WHEREAS, the private use industrial development property for which the abatement is applied shall be (check whichever is applicable):

X owned by the entity applying for the abatement,

□ leased from a public authority, municipal, or county government; and

WHEREAS, in the event that the private use industrial development property is leased from a public authority, municipal, or county government, the lessee shall be treated as the owner of such property for federal income tax purposes; and

WHEREAS, it shall be indicated whether the Granting Authority intends to issue bonds in connection with the private use industrial development property herein described, and, if so intends, shall attach a copy of the inducement agreement; and

WHEREAS, for the purposes of abatement of all noneducational property taxes (if applicable), it has been determined that no portion of the Project has been placed in service or operation by the Company or by a related party, as defined in 26 U.S.C. §267, with respect to the Company prior to the Effective Date of this Agreement; and

WHEREAS, for the purposes of the abatement of construction related transaction taxes (if applicable), no portion of the Project which has been requested for abatement has been purchased prior to the Effective Date of this Agreement; and

WHEREAS, the Project conducts trade or business as defined as an industrial or research enterprise:

Predominately as described in the 2012 North American Industry Classification System, promulgated by the Executive Office of the President of the United States, Office of Management and Budget, Sectors 31 (other than National Industry 311811), 32, 33, 55 (if not for the production of electricity); Subsectors 423, 424, 482, 493, 511, 517, 518 (without regard to the premise that data processing and related services be performed in conjunction with a third party), and 927; Industry Groups 1133, 2121, 4862, 4882, 4883 (other than 48833), 5121 (other than 51213), 5415, and 5417; Industries 48691, 48699, 48819, 51221, 51913, 52232, 54133, 54134, 54138, 56291, 56292, and 92811; and National Industries 115111, 22111, 221330, 541614, 561422 (other than establishments that originate telephone calls), 562213, and 611512 or any similar classification system developed in conjunction with the United States Department of Commerce or Office of Management and Budget, or any industrial or research enterprise as defined in Section 40-9B-3(a)(10), ***Code of Alabama 1975***, as amended, or a target of the state's economic development efforts pursuant to the Accelerate Alabama Strategic Economic Development Plan adopted in January 2012 by the Alabama Economic Development Alliance, created by Executive Order Number 21 of the Governor on July 18, 2011, or any amended version or successor document thereto,

A headquarters facility project as described in NAICS 551114 at which not less than 50 jobs are located,

A data processing center as defined in Section 40-9B-3(a)(4), ***Code of Alabama 1975***,

Attachment: AGS Holdings Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.)

A research and development facility as defined in Section 40-9B-3(a)(23), ***Code of Alabama 1975***,
A renewable energy facility as defined in Section 40-9B-3(a)(22), ***Code of Alabama 1975***,
A facility that produces electricity from alternative energy resources or hydropower production as defined in Section 40-9B-3(a)(10)e, ***Code of Alabama 1975***, or
A tourism destination attraction as defined in Section 40-9B-3(a)(25), ***Code of Alabama 1975***;

WHEREAS, if the Project is a major addition to an existing facility, the request for abatement of all state and local noneducational property taxes (if applicable) and/or construction related transaction taxes (if applicable) does not include any capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service by the Company; and

WHEREAS, if the Project is a major addition to an existing facility the addition equals the lesser of (i) thirty (30) percent of the original cost of the industrial development property, or (ii) $2,000,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and perform and observe the agreements and covenants on its part contained in this Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company (a) that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of this Agreement, (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by the governing body of the Granting Authority;

NOW, THEREFORE, the Granting Authority and the company, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

In accordance with the Act, the Granting Authority hereby grants to the Company an abatement from liability for the following taxes as permitted by the Act (check all that apply):

☒ a) Noneducational Property Taxes: all state and local noneducational property taxes that are not required to be used for educational purposes or for capital improvements for education for 10 years,

☒ (b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 ***Code of Alabama 1975*** on the tangible personal property and taxable services to be incorporated into the Project, the cost of which may be added to the capital account with respect to the Project, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education; and/or

☐ (c) Mortgage and Recording Taxes: all taxes imposed by Chapter 22 of Title 40 ***Code of Alabama 1975*** relating to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the Granting Authority with respect to the Project.

2. An estimate of the amount of tax abated pursuant to this Agreement is set forth below. The Granting Authority and the Company hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement for such taxes may be for a greater or lesser amount depending upon the actual amount of such taxes levied during the abatement periods stated. (Check all that apply):

☒ (a) If no bonds are to be issued, noneducational property taxes are expected to be approximately $ 4,320.00_____ per year and the maximum period for such abatement shall extend for a period of __10____ years, measured as provided in Section 40-9B-3(a)(12) of the Act, as amended from time to time.

Attachment: AGS Holdings Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.)

□ (b) If bonds are issued, noneducational property taxes are expected to be approximately$_____ per year and the maximum period for such abatement shall be valid for a period of ___ years, beginning the initial date bonds are issued to finance project.

☒ (c) Construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, are expected to be approximately$32,000 and such abatement shall not extend beyond the date the Project is placed in service.

(d) Mortgage and recording taxes are expected to be $_____.

3. The Company hereby makes the following good faith projections:

(a) Amount to be invested in the Project: $800,000;_____

b) Number of individuals to be employed initially at the Project and in each of the succeeding three years: Initially _____ Year 1 _____ Year 2 _____ Year 3 _____;

(c) Annual payroll initially at the Project and in each of the succeeding three years: Initially $_____ Year 1 $_____ Year 2 $_____ Year 3 $_____;

4. The Company shall file with the Alabama Department of Revenue within 90 days after the date of the Meeting a copy of this agreement as required by Section 40-9B-6(c) of the Act.

GENERALLY

5. Compliance. If the Company fails to comply with any provision in this Agreement or if any of the material statements contained herein or in Attachment Two *(Note: This attachment shall include the application for abatement)*, are determined to have been misrepresented whether intentionally, negligently, or otherwise, the Granting Authority shall terminate this Agreement and take such equitable action available to it as if this Agreement had never existed. If it is determined that certain items, which are identified on the application form for abatement of taxes, are not in compliance with the Act or governing regulations, these items may be subject to taxation for all local and state taxing authorities.

6. Binding Agreement. Each party to this Agreement hereby represents and warrants that the person executing this Agreement on behalf of the party is authorized to do so and that this Agreement shall be binding and enforceable when duly executed and delivered by each party. This Agreement shall be binding upon and inure to the benefit of each of the parties and their respective successors.

7. Limitations. Notwithstanding any provision contained herein to the contrary, this Agreement is limited solely to the abatement of (check all that apply):

☒ all state and local noneducational property taxes,

☒ all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

□ all mortgage and recording taxes for the periods specified herein. Nothing in this Agreement shall be construed as a waiver by the Company of any greater benefits that the Project or any portion thereof may have available under the provisions of the law other than the Act.

8. Severability. This Agreement may be amended or terminated upon mutual consent of the Company and the Granting Authority. Any such amendment or termination shall not in any manner affect the rights and duties by and between the Company and the Granting Authority.

Attachment: AGS Holdings Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.)

This Agreement is executed as of the dates specified below.

AGS Distribution (the Company)	The City of Opelika (the Granting Authority)
By:_____	By:_____
Name:_____	Name: Gary Fuller
Title:_____	Title: Mayor
Date: April 21, 2020	Date: April 21, 2020

Attachment: AGS Holdings Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC - ED.)

Tax Abatement Agreement

This Abatement Agreement is made and entered into as of this 21st day of April, 2020, by and between City of Opelika (the Granting Authority), and AGS Distribution (the Company), its successors and assigns.

WHEREAS, the Company's North American Industry Classification System (NAICS) Code, 493100 or business activity_____ meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(10), ***Code of Alabama 1975***, as amended; and

WHEREAS, the Company has announced plans for a (check one):

□ new project o r ☒ major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority;

WHEREAS, the Project is estimated to be completed by the 31st day of December, 2020; and

WHEREAS the Project will be located in the County of Lee (check only one)

☒ inside the city limits of Opelika.

☒ inside the police jurisdiction of Opelika.

□ outside the city limits and police jurisdiction of the City of _____; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B1 et seq., ***Code of Alabama 1975***) (the Act), the Company has requested from the Granting Authority an Abatement of: (check all that apply)

☒ all state and local noneducational property taxes,

☒ all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

□ all mortgage and recording taxes with respect to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the public authority, county or municipal government;

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, at its meeting held on the 21st day of April, 2020 (the Meeting), the Granting Authority approved the Company's application for abatement of (check all that apply):

☒ all state and local noneducational property taxes;

Attachment: AGS Distribution Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC -

X all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education; and/or

□ all mortgage and recording taxes with respect to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the public authority, county or municipal government;

WHEREAS, the Project will consist of private use industrial development property, which is composed of all real and/or related personal property to be acquired, constructed, and installed thereon, as described in Attachment One hereto; and

WHEREAS, the private use industrial development property for which the abatement is applied shall be (check whichever is applicable):

X owned by the entity applying for the abatement,

□ leased from a public authority, municipal, or county government; and

WHEREAS, in the event that the private use industrial development property is leased from a public authority, municipal, or county government, the lessee shall be treated as the owner of such property for federal income tax purposes; and

WHEREAS, it shall be indicated whether the Granting Authority intends to issue bonds in connection with the private use industrial development property herein described, and, if so intends, shall attach a copy of the inducement agreement; and

WHEREAS, for the purposes of abatement of all noneducational property taxes (if applicable), it has been determined that no portion of the Project has been placed in service or operation by the Company or by a related party, as defined in 26 U.S.C. §267, with respect to the Company prior to the Effective Date of this Agreement; and

WHEREAS, for the purposes of the abatement of construction related transaction taxes (if applicable), no portion of the Project which has been requested for abatement has been purchased prior to the Effective Date of this Agreement; and

WHEREAS, the Project conducts trade or business as defined as an industrial or research enterprise:

Predominately as described in the 2012 North American Industry Classification System, promulgated by the Executive Office of the President of the United States, Office of Management and Budget, Sectors 31 (other than National Industry 311811), 32, 33, 55 (if not for the production of electricity); Subsectors 423, 424, 482, 493, 511, 517, 518 (without regard to the premise that data processing and related services be performed in conjunction with a third party), and 927; Industry Groups 1133, 2121, 4862, 4882, 4883 (other than 48833), 5121 (other than 51213), 5415, and 5417; Industries 48691, 48699, 48819, 51221, 51913, 52232, 54133, 54134, 54138, 56291, 56292, and 92811; and National Industries 115111, 22111, 221330, 541614, 561422 (other than establishments that originate telephone calls), 562213, and 611512 or any similar classification system developed in conjunction with the United States Department of Commerce or Office of Management and Budget, or any industrial or research enterprise as defined in Section 40-9B-3(a)(10), ***Code of Alabama 1975***, as amended, or a target of the state's economic development efforts pursuant to the Accelerate Alabama Strategic Economic Development Plan adopted in January 2012 by the Alabama Economic Development Alliance, created by Executive Order Number 21 of the Governor on July 18, 2011, or any amended version or successor document thereto,

A headquarters facility project as described in NAICS 551114 at which not less than 50 jobs are located,

A data processing center as defined in Section 40-9B-3(a)(4), ***Code of Alabama 1975***,

Attachment: AGS Distribution Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC -

A research and development facility as defined in Section 40-9B-3(a)(23), ***Code of Alabama 1975***,
A renewable energy facility as defined in Section 40-9B-3(a)(22), ***Code of Alabama 1975***,
A facility that produces electricity from alternative energy resources or hydropower production as defined in Section 40-9B-3(a)(10)e, ***Code of Alabama 1975***, or
A tourism destination attraction as defined in Section 40-9B-3(a)(25), ***Code of Alabama 1975***;

WHEREAS, if the Project is a major addition to an existing facility, the request for abatement of all state and local noneducational property taxes (if applicable) and/or construction related transaction taxes (if applicable) does not include any capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service by the Company; and

WHEREAS, if the Project is a major addition to an existing facility the addition equals the lesser of (i) thirty (30) percent of the original cost of the industrial development property, or (ii) $2,000,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and perform and observe the agreements and covenants on its part contained in this Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company (a) that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of this Agreement, (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by the governing body of the Granting Authority;

NOW, THEREFORE, the Granting Authority and the company, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

In accordance with the Act, the Granting Authority hereby grants to the Company an abatement from liability for the following taxes as permitted by the Act (check all that apply):

X a) Noneducational Property Taxes: all state and local noneducational property taxes that are not required to be used for educational purposes or for capital improvements for education for 10 years,

X (b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 ***Code of Alabama 1975*** on the tangible personal property and taxable services to be incorporated into the Project, the cost of which may be added to the capital account with respect to the Project, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education; and/or

□ (c) Mortgage and Recording Taxes: all taxes imposed by Chapter 22 of Title 40 ***Code of Alabama 1975*** relating to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the Granting Authority with respect to the Project.

2. An estimate of the amount of tax abated pursuant to this Agreement is set forth below. The Granting Authority and the Company hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement for such taxes may be for a greater or lesser amount depending upon the actual amount of such taxes levied during the abatement periods stated. (Check all that apply):

X (a) If no bonds are to be issued, noneducational property taxes are expected to be approximately $ 7,592.00_____ per year and the maximum period for such abatement shall extend for a period of __10____ years, measured as provided in Section 40-9B-3(a)(12) of the Act, as amended from time to time.

Attachment: AGS Distribution Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC -

□ (b) If bonds are issued, noneducational property taxes are expected to be approximately$_____ per year and the maximum period for such abatement shall be valid for a period of ___ years, beginning the initial date bonds are issued to finance project.

X (c) Construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, are expected to be approximately $69,500 and such abatement shall not extend beyond the date the Project is placed in service.

(d) Mortgage and recording taxes are expected to be $_____.

3. The Company hereby makes the following good faith projections:

(a) Amount to be invested in the Project: $2,150,000;_____

b) Number of individuals to be employed initially at the Project and in each of the succeeding three years: Initially ___37_____ Year 1 ____25_____ Year 2 _____ Year 3 _____;

(c) Annual payroll initially at the Project and in each of the succeeding three years: Initially $_430,000_____ Year 1 $__350,000_____ Year 2 $_____ Year 3 $_____;

4. The Company shall file with the Alabama Department of Revenue within 90 days after the date of the Meeting a copy of this agreement as required by Section 40-9B-6(c) of the Act.

GENERALLY

5. Compliance. If the Company fails to comply with any provision in this Agreement or if any of the material statements contained herein or in Attachment Two *(Note: This attachment shall include the application for abatement)*, are determined to have been misrepresented whether intentionally, negligently, or otherwise, the Granting Authority shall terminate this Agreement and take such equitable action available to it as if this Agreement had never existed. If it is determined that certain items, which are identified on the application form for abatement of taxes, are not in compliance with the Act or governing regulations, these items may be subject to taxation for all local and state taxing authorities.

6. Binding Agreement. Each party to this Agreement hereby represents and warrants that the person executing this Agreement on behalf of the party is authorized to do so and that this Agreement shall be binding and enforceable when duly executed and delivered by each party. This Agreement shall be binding upon and inure to the benefit of each of the parties and their respective successors.

7. Limitations. Notwithstanding any provision contained herein to the contrary, this Agreement is limited solely to the abatement of (check all that apply):

X all state and local noneducational property taxes,

X all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

□ all mortgage and recording taxes for the periods specified herein. Nothing in this Agreement shall be construed as a waiver by the Company of any greater benefits that the Project or any portion thereof may have available under the provisions of the law other than the Act.

8. Severability. This Agreement may be amended or terminated upon mutual consent of the Company and the Granting Authority. Any such amendment or termination shall not in any manner affect the rights and duties by and between the Company and the Granting Authority.

Attachment: AGS Distribution Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC -

This Agreement is executed as of the dates specified below.

AGS Distribution (the Company)	The City of Opelika (the Granting Authority)
By:_____	By:_____
Name:_____	Name: Gary Fuller
Title:_____	Title: Mayor
Date: April 21, 2020	Date: April 21, 2020

Attachment: AGS Distribution Abatement Agreement (077-20 : Approve Tax Abatements for AGS Distributions, Inc. and AGS Holdings, LLC -

RESOLUTION NO. 078-20

Approve update to HUD Citizen Participation Plan.

RESOLUTION NO. _____

WHEREAS, in September, 1999, the City of Opelika was designated an Entitlement City by the U.S. Department of Housing and Urban Development (HUD); and,

WHEREAS, the City of Opelika now receives CDBG funds from HUD and must follow HUD requirements; and,

WHEREAS, HUD requires that the City's Citizen Participation Plan be amended to meet required public notice/comment period due to the CARES Act; and,

WHEREAS, a public hearing was not required because changes to the Citizen Participation Plan are not deemed "Substantial"; and,

WHEREAS, the City is requesting the City Council to approve the amended Citizen Participation Plan, a copy hereto is attached in its entirety as Exhibit "A".

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

That the Citizen Participation Plan hereto attached in its entirety as Exhibit "A" is approved.

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

_____

Eddie Smith, Council President

City of Opelika

ATTEST:

_____

Russell Jones

City Clerk - Treasurer

FACT SHEET

April 21, 2020 City Council Meeting

SUBJECT: CDBG Citizen Participation Plan Amendments

FACTS:

- HUD requires that the City have an adopted Citizen Participation Plan (CPP).

- The proposed CPP addresses the following:

  a. Further expands on means of advertising public hearings.
  b. Adds new verbiage to allow for virtual meetings due to national or local health authority recommendations.
  c. Change in ADA coordinator.
  d. Change in meeting location.
  e. Change in public notice/comment period due to CARES Act.

- The City Council approves ALL amendments, substantial or otherwise, to the Annual Action Plan and or Consolidated Plan in both the current and proposed plan.

RECOMMENDATION:

- Council support the resolution to amend the Citizen Participation Plan.

Attachment: FACT SHEET CPP Resolution COVID-19 (078-20 : Approve update to HUD Citizen Participation Plan.)

Citizen Participation Plan
City of Opelika, Alabama
Community Development Block Grant Program

The following will serve as the City of Opelika's Citizen Participation Plan (CPP) to satisfy the requirements of Section 508 of the Housing and Community Development Act of 1987 as amended.

I. Introduction - Encouragement of Citizen Participation

The City of Opelika has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. This Plan is an essential element of the city's present and future community development process and has been developed to comply with the regulations and requirements of the Community Development Block Grant program as administered by the Department of Housing and Urban Development (HUD). This Plan supersedes all other Citizen Participation Plans that may have been adopted by the Opelika City Council.

The primary goal of this Citizen Participation Plan is to provide all Opelika citizens with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the city's Community Development Block Grant program. The CPP sets forth policies and procedures for citizen participation which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Opelika Citizens are encouraged to participate in all phases of the CDBG program and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program will lie with the Opelika City Council.

II. Development of the Consolidated Plan and Annual Action Plan

The City of Opelika will make available to citizens, public agencies, and other interested parties the amount of grant funds provided to the City including the range of activities that may be undertaken, the estimated amount that will benefit persons of low-and moderate-income, and program income generated, if any. Although the City of Opelika does not expect displacement to occur, the City is prepared to assist persons that are displaced according to HUD’s guidelines. The City will provide displacement information to persons that qualify for grant assistance and need displacement assistance. The City will discuss the information with the persons receiving assistance before an agreement is signed.

a. Public Hearings

The City of Opelika will hold at least two public hearings per year concerning the Consolidated Plan and Annual Action Plan. In preparation for the Consolidated Plan and

Attachment: CPP COVID19 rev (078-20 : Approve update to HUD Citizen Participation Plan.)

Action Plan, the City of Opelika will hold at least one public hearing to obtain citizens' views and to respond to proposals and questions. The hearing will address housing and community development needs, nonhousing community development needs, and development of proposed activities. The City will consider any comments or views by citizens received in writing or orally at the public hearing(s) (A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor will be attached to the Consolidated Plan). After completion of the Consolidated Plan and Action Plan, a summary of the Plans will be published in the legal section of the Opelika-Auburn News **and/or Opelika Observer**. The City will provide a period not less than 30 days to receive comments from citizens on the Consolidated Plan and Action Plan. The 30-day period will begin on the day following the publication of the summary.

Public hearing notices will be published in the non-legal section of the Opelika-Auburn News **and/or Opelika Observer** at least 10 days before the day of the public hearing. The public hearing will be scheduled during the evening weekday hours and will be held at the **Municipal Court Building Meeting Room, 300 Martin Luther King Boulevard.**

The City of Opelika may use additional or alternative means of advertising as appropriate, including but not limited to: posting notices on the City of Opelika website; distributing or posting notices at City Hall, Cooper Memorial Library, recreation facilities, developing press releases, sending notices to community organizations, and electronic media. A Virtual hearing may be used in lieu of in-person hearing if national or local health authorities recommend social distancing and limited public gatherings for public health reasons.

Persons with disabilities requiring special assistance for public hearings may **notify Kevin Rice, ADA Coordinator, at 705-2083** for assistance. According to the latest U.S. Census of Population, there are no significant populations (over 5%) of non-English speaking residents in Opelika. However, should a significant number of non-English speaking citizens move into the community or participate in public hearings, local officials will undertake all reasonable actions necessary to allow such persons to participate in the process. Such actions may include the provision of an interpreter for non-English speaking persons and/or the provision of information regarding the Consolidated Plan in a format that such person can comprehend.

A public hearing will also be held at the end of each program year for an annual review of the program performance. See part *c. Performance Report* for details

b. Amendments to the Consolidated Plan

The City of Opelika will provide an opportunity for citizen participation if there are any substantial amendments to the approved Consolidated Plan. The following changes constitute a substantial amendment: (1) A new activity added to the Action Plan that was not part of the original Action Plan. (2) An activity deleted from an approved Action Plan. (3) The fund amount allocated to an approved activity increases or decreases by more than 50%. The City will notify HUD about all proposed substantial amendments.

Attachment: CPP COVID19 rev (078-20 : Approve update to HUD Citizen Participation Plan.)

A public hearing will be held for all substantial amendments. A public hearing notice will be published in the non-legal section of the Opelika-Auburn News **and/or Opelika Observer** at least 10 days before the day of the public hearing. The public hearing will be scheduled during the evening weekday hours at the **Municipal Court Building Meeting Room, 300 Martin Luther King Boulevard.** Other public hearing arrangements concerning assistance to the disabled and provisions for non-English speaking persons as discussed in (*a.) Public Hearings* above will be followed. At the public hearing, the City or Opelika will consider any comments or views by citizens either in writing or orally concerning substantial amendment to the Consolidated Plan and/or Action Plan. A summary of all comments or views, either acceptable or unacceptable, and the reasons therefor, will be attached to the substantial amendment of the Consolidated Plan and/or Action Plan. All substantial amendments will be approved by resolution by the Opelika City Council and be incorporated into the Consolidated Plan. A summary of the amendments will be published in the non-legal section of the Opelika-Auburn News **and/or Opelika Observer** no later than 10 days after the amendments are approved. The City will provide a period not less than 30 days to receive comments from citizens on the substantial amendments. The 30-day period will begin on the day following the publication of the amendment summary. After the 30-day period, the City will submit the substantial amendment, the City Council resolution authorizing the amendments, and any related documents about the amendments to HUD.

c. Performance Reports

At the end of each program year, the City will prepare a performance report concerning the previous years program activities. A summary of the performance report will be published in the non-legal section of the Opelika-Auburn News **and/or Opelika Observer** for citizen comments. The City will provide a period of at least 15 days to receive comments from citizens on the performance report. The 15-day period will begin on the day following the Opelika-Auburn News publication of the summary of the performance report. After the 15-day period, a public hearing will be held concerning the previous years program activities and citizen comments. A summary of all citizen comments or views will be attached to the performance report. The City will submit the performance report to HUD for review and comments. Citizens may obtain a copy of the performance report at the cost of reproduction at the Planning Department, 700 Fox Trail or the performance report may be reviewed at the Planning Department.

d. Availability to the Public

The City of Opelika will provide the Consolidated Plan as adopted, all substantial amendments, and the annual performance report to citizens, public agencies, and other interested parties for review. The Consolidated Plan materials will also be available in a form accessible to persons with disabilities upon request. The Consolidated Plan may be reviewed at the Planning Department located at the City of Opelika Public Works Facility, 700 Fox Trail during regular scheduled working days (currently 7:00 AM to 4:00 PM), Monday through Friday. The Public Works Facility is a handicapped accessible building. A copy of the Consolidated Plan, substantial amendments, and the performance report may be purchased for the cost of reproduction.

Attachment: CPP COVID19 rev (078-20 : Approve update to HUD Citizen Participation Plan.)

e. Access to Records

Citizens, public agencies, and other interested parties may have access to information and records relating to the City's Consolidated Plan and the City's use of assistance, if applicable, under the program.

f. Technical Assistance

The City of Opelika will provide technical assistance upon request to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan with the level and type of assistance determined by the City. Such technical assistance is intended to increase citizen participation in the community development decision making process, foster public understanding of program requirements, and to ensure that such participation is meaningful. Technical assistance may be obtained by contacting the City of Opelika Planning Department.

g. Complaints

The City of Opelika will provide a substantive written response to every written complaint concerning the consolidated plan, substantial amendments, and performance reports within fifteen working days where practicable.

h. Following the Citizen Participation Plan

For CDBG funding under PY2019-2020, PY2020-2021, and the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, participating cities may provide a 5-day notice/comment period of a proposed amendments and changes beginning April 8, 2020 as allowed under a HUD waiver. This includes any new activities proposed. A public hearing is not required but documentation relative to activity planning applies.

Attachment: CPP COVID19 rev (078-20 : Approve update to HUD Citizen Participation Plan.)

ORDINANCE NO. 010-20-ORD

Authorize Sale of City Property, 1506 Harper St - 2nd Reading.

ORDINANCE NO._____

ORDINANCE AUTHORIZING THE CONVEYANCE OF

1506 HARPER STREET TO JIMMIE D. ASHFORD AND BETTY TORBERT

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

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

> Lot No. 43 of the Toomer Street Project, First Addition Subdivision, as shown by plat of said subdivision which is recorded on Page 176 of Plat Book 7 in the Office of the Judge of Probate of Lee County, Alabama.
>
> Being further described as Parcel No. 43-10-04-18-1-002-036.000 according to records maintained in the Lee County Revenue Commissioner's Office.

Section 2. That the City of Opelika, Alabama, having received an offer from Jimmie D. Ashford and Betty Torbert to purchase the real estate described in Section 1 above, it is hereby declared that it is in the best interest of the public and the City to sell said premises to Jimmie D. Ashford and Betty Torbert, for and in consideration of the sum of $8,400.

Section 3. That the Mayor and the City Clerk be and they are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Opelika, Alabama, a warranty deed, a copy of which is on file in the office of the City Clerk, whereby the City of Opelika does convey the premises described in Section 1 above to Jimmie D. Ashford and Betty Torbert, for and in consideration of the sum of $8,400.

Section 4. That a Real Estate Sales Agreement to be entered into between the City and Jimmie D. Ashford and Betty Torbert, a copy of which is attached hereto and marked Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed in the form submitted to the 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 Agreement. The Mayor is hereby authorized and directed to execute said Agreement in the name and on behalf of the City and the City Clerk is authorized to attest the same.

Section 5. That the Mayor, City Clerk and other appropriate officers and employees of the City are hereby authorized to take such further actions and execute and deliver such other agreements, contracts, documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

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

Section 7. The City Clerk of the City of Opelika is hereby authorized and directed to cause this ordinance to be published one (1) time in a newspaper published in and of general circulation in the City of Opelika, Alabama.

ADOPTED AND APPROVED this the _____day of _____, 2020.

_____

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

ATTEST:

_____

CITY CLERK

TRANSMITTED TO MAYOR this the _____day of _____, 2020.

_____

CITY CLERK

ACTION BY MAYOR

APPROVED this the _____day of _____, 2020.

_____

MAYOR

ATTEST:

_____

CITY CLERK

REAL ESTATE SALES AGREEMENT

BETWEEN

THE CITY OF OPELIKA, ALABAMA

("SELLER")

AND

JIMMIE D. ASHFORD

AND

BETTY TORBERT

("PURCHASERS")

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

STATE OF ALABAMA)
: **REAL ESTATE SALES AGREEMENT**
COUNTY OF LEE)

THIS AGREEMENT made and entered into this the ____ day of _____, 2020 by and between **THE CITY OF OPELIKA, ALABAMA**, a municipal corporation, having address at 204 South 7th Street, Opelika, Alabama (hereinafter referred to as "**SELLER**") and **JIMMIE D. ASHFORD**, having an address at 1504 Harper Street and **BETTY TORBERT**, having address at 1508 Harper Street, Opelika, Alabama (hereinafter referred to as "**PURCHASERS**").

WITNESSETH:

In consideration of the mutual covenants contained herein, **SELLER** and **PURCHASERS** agree as follows:

1. **PURCHASE OF PROPERTY.** **SELLER** hereby agrees to sell and convey unto **PURCHASERS**, and **PURCHASERS** hereby agree to purchase from **SELLER**, subject to the conditions hereinafter set forth, the following described real property located at 1506 Harper Street in the City of Opelika, Alabama (hereinafter called "PROPERTY"), described as follows:

Lot No. 43 of the Toomer Street Project, First Addition Subdivision, as shown by plat of said subdivision which is recorded on Page 176 of Plat Book 7 in the Office of the Judge of Probate of Lee County, Alabama.

Being further described as Parcel No. 43-10-04-18-1-002-036.000 according to records maintained in the Lee County Revenue Commissioner's Office.

Deed Reference: Deed Book 915 at Page 259

2. **PURCHASE PRICE.** The purchase price for the PROPERTY shall be $8,400.00, payable in full at the time of closing.

3. **CLOSING:** Subject to the terms and provisions of this Contract, the "Closing" will

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

be held at 204 South 7th Street, Opelika, Alabama, or at such other place as is mutually agreeable to the **SELLER** and the **PURCHASERS** on a date designated by **PURCHASERS,** which date shall not be later than Friday, July 10, 2020. At Closing and upon the payment of the entire purchase price as recited in this Contract, the **SELLER** shall execute and deliver to **PURCHASERS** a good and sufficient warranty deed conveying to the **PURCHASERS** good and marketable title to the PROPERTY, subject to the following easements, restrictions, reservations, covenants, conditions, encumbrances and exceptions:

1. The restrictions contained in a Declaration of Restriction recorded in the Office of the Judge of Probate of Lee County, Alabama in Book 822 at Page 137.

2. The General Covenants set forth in that certain warranty deed dated August 28, 1973 from The Housing Authority of the City of Opelika to the City of Opelika of record in Deed Book 915 at Page 259 in the Office of the Judge of Probate of Lee County, Alabama.

3. The drainage, sanitary sewer and utilities easements as shown on the plat of Toomer Street Project, First Addition Subdivision, of record in Plat Book 7 at Page 176 in the Office of the Judge of Probate of Lee County, Alabama.

4. The building setback line as shown on the plat of Toomer Street Project, First Addition Subdivision, of record in Plat Book 7 at Page 176 in the office of the Judge of Probate of Lee County, Alabama.

5. Potential encroachment of neighbor's carport, driveway and shrubbery over common property line separating lots 43 and 44 of Toomer Street Project, First Addition Subdivision.

6. Any encroachments, overlaps, or obstructions which might be shown by an accurate, present survey or would be visible upon actual inspection of the property.

7. All rights-of-way for public roads and utilities physically in existence across or over said property or easements therefor which may be of record.

8. Subdivision regulations and zoning ordinances of the City of Opelika.

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

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

At closing, **PURCHASERS** shall deliver to **SELLER** a check in the amount of the purchase price. The cost of preparing, executing and acknowledging any deeds or other instruments required to convey good and merchantable title to **PURCHASERS** in the manner described in this Contract shall be paid by the **SELLER**. All other costs and expenses of closing shall borne by the **PURCHASERS**.

4. **POSSESSION:** **SELLER** shall deliver to **PURCHASERS** possession of the property at closing.

5. **SALE OF PROPERTY "AS-IS".** **PURCHASERS** have heretofore inspected the Property and are acquainted with the condition of the Property. **PURCHASERS** agree to take the Property "AS-IS", in its present condition. Until closing, **SELLER** agrees to maintain the Property in its present condition, reasonable war and tear excepted. The provisions of this Section shall survive closing and shall survive the expiration or earlier termination of this Agreement.

6. **DISCLAIMER.** **PURCHASERS** acknowledge and agree that **SELLER** does not make, and specifically negates and disclaims any representations, warranties (other than the warranty of title as set out in the deed), promises, covenants or guarantees of any kind or character whatsoever, whether expressed or implied, oral or written, past, present or future, of, as to, concerning or with respect to the nature, quality or condition of the Property, including,

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

without limitation, the soil, geography capacity for development, access or environmental conditions that may exist or have previously existed on the Property. **PURCHASERS** acknowledge and agree that to the maximum extent permitted by law, the sale of the Property as provided for herein is made on an "AS-IS" condition and basis with all faults. All provisions of this Section shall survive closing or the expiration or earlier termination of this Agreement without closing as applicable.

7. **SURVEY.** **SELLER** has no obligation to provide **PURCHASERS** with a survey of the Property. **PURCHASERS** may elect to purchase same at its own expense, which shall in no event delay the Closing.

8. **TITLE OPINION; TITLE POLICY.** **SELLER** has no obligation to provide **PURCHASERS** with a title opinion, title commitment or an owner's policy of insurance covering the property. **PURCHASERS** may elect to purchase same at its own expense from an attorney or title company of its own choosing, which shall in no event delay the Closing.

9. **DEFAULT.** In the event of a default by **SELLER** or **PURCHASERS**, the non-defaulting party may state its or his intention to comply with the contract and seek specific performance of this contract or bring suit for damages.

10. **LEGAL FEES:** Each party agrees to pay its own legal fees for closing this transaction.

11. **SURVIVAL OF TERMS:** The **SELLER's** and the **PURCHASERS'** covenants and representations shall survive the closing and shall not be merged in the deed delivered by **SELLER**.

12. **BINDING EFFECT:** This Contract shall be binding upon and shall inure to the

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

benefit of the parties hereto, and their respective heirs, legal representatives, successors and assigns.

13. **ENTIRE AGREESMENT:** This Contract embodies the entire agreement between the parties hereto and there are no oral or parole agreements existing between the **SELLER** and the **PURCHASERS** relating to the subject matter which is not expressly set forth herein and covered hereby.

14. **TIME OF ESSENCE:** Time is of the essence of this Contract.

15. **GENDER.** Words of any gender used in this Contract shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context requires otherwise.

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

THE CITY OF OPELIKA, ALABAMA
A MUNICIPAL CORPORATION
SELLER

By:_____
GARY FULLER,
ITS MAYOR

ATTEST:

_____
CITY CLERK

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

JIMMIE D. ASHFORD

BETTY TORBERT

Attachment: Sales Agreement 1506 Harper St (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

ADDENDUM TO
REAL ESTATE SALES AGREEMENT

This is an Addendum to the REAL ESTATE SALES AGREEMENT (the "RESA") by and between the CITY OF OPELIKA, as SELLER, and JIMMIE D. ASHFORD and BETTY TORBERT, as PURCHASERS, relating to the property located at 1506 Harper Street. The terms of this Addendum are hereby incorporated as part of the RESA and to the extent the terms of this Addendum modify or conflict with any other provisions of the RESA, these terms shall control.

1. THE PROPERTY IS SOLD TO PURCHASERS "AS-IS". The words "as-is" denote that the PURCHASERS are purchasing the property in whatever condition it presently exists.

2. The PROPERTY will be conveyed to PURCHASERS at closing subject to certain drainage, sanitary sewer and utility easements. The SELLER (the "City") is responsible for the installation, maintenance, replacement and repair of the sanitary sewer lines and the storm water drainage installations (such as catch basins, pipes, etc.). The PURCHASERS are responsible for routine grounds maintenance such as grass mowing and trash or debris removal. The easements entitle the City to access the land to inspect, repair, maintain and replace the sewer lines, storm water drainage structures and other public utilities located within the easements. The PURCHASERS acknowledge that they cannot construct or place a building, shed, fence or other improvements upon said easements without the SELLER's (the "City's") consent.

3. The SELLER (the "City") agrees that in the course of constructing, installing, maintaining, repairing, removing and/or replacing any of the sewer lines, drainage structures or other public utilities, the SELLER (the "City") will leave the site in as good order and repair as it was originally.

Attachment: Addendum (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)

4. All other terms and conditions of the RESA not modified by this Addendum shall remain the same.

CITY OF OPELIKA, ALABAMA

By:_____
GARY FULLER, MAYOR

ATTEST:

_____
RUSSELL A. JONES
CITY CLERK

_____
JIMMIE D. ASHFORD

_____
BETTY TORBERT

Attachment: Addendum (010-20-ORD : Authorize Sale of City Property, 1506 Harper St - 2nd Reading.)