



OPELIKA CITY COUNCIL
“ REGULAR MEETING MINUTES “
300 Martin Luther King Blvd.
June 16, 2020
TIME: 7:00 PM

1. Call to Order

President Smith called the council meeting to order at 6:58 pm and asked Mr. Jones to call the roll.

2. Roll Call

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

3. Invocation

President Smith provided the invocation.

1. Eddie Smith President City Council Ward 4.

4. Pledge of Allegiance

Jared Banks, Ben Bell and Carson Bass of Boy Scout Troop 858 led the Pledge of Allegiance.

1. Jared Banks, Ben Bell and Carson Bass with Boy Scout Troop 858.

5. Reading of Minutes

1. Minutes from the 06-02-20 Council Meeting.

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

6. Unfinished Business

7. Remarks By the Mayor

1. City's Financial Summary Report for May 2020.

Mayor Fuller asked if the council had any questions about the financial summary report to contact himself, Mr. Motley or Cindy Boyd and they would be happy to answer their questions.

2. May 2020 Monthly Building Report.

Mayor Fuller asked Mr. Motley to give the monthly building report for May 2020. Mr. Motley then gave the report.

3. Proclamation for Gun Violence Awareness.

Mayor Fuller read the proclamation.

8. Citizen Communications

Todd Rauch of 1903 Arbor Lane spoke first. Mr. Rauch, Vice President of the Community Foundation of East Alabama, stated he would like to give a report on the recent fundraising event, Opelika Giving Day, that the council supported. Mr. Rauch stated the community foundation brought in 12 different non-profit organizations to support and the event was a 24 hour fund raising campaign held online. Mr. Rauch then told the council about how much marketing was done this year due to all of the restrictions and such because of the pandemic and also how they wanted to be as successful this year as the previous year. Mr. Rauch stated they raised \$39,420.09 from 348 donors which was about 100 more donors and

almost \$10,000 more than the previous year. Mr. Rauch then thanked the Mayor and council again for their continued support of these events.

William Bowhall of 2016 Old Lafayette Hwy spoke next. Mr. Bowhall stated he wanted to ask for the council's help, guidance and intervention as well as any suggestions they or the public might have for him. Mr. Bowhall stated he came to Opelika 22 years ago, when Governor Siegelman was here, asking for political asylum because he has not been getting any help from the Democrats or Republicans with legislation to help him establish commerce trade and the life, liberty and pursuit of happiness in relation to that. Mr. Bowhall went on to say this would help save people's lives, help promote new technology, education, advancement in aerospace with regards to national security and military advancements in transportation land, air, sea and space. Mr. Bowhall stated this has been blockaded for far too long and it is something he created when he was 4 years old, in 1964, and the more we know about it, the more we will see how critical this technology is. Mr. Bowhall went on to say he doesn't understand why his representatives in Michigan, Alabama and Washington won't take 5 minutes to look at it or inquire about it. Mr. Bowhall also stated this was the same issue with Kay Ivey before the last election as well as Tom Whatley and Joe Lovvorn, because he contacted all of them requesting a town hall to discuss why they are not dealing with this issue, and also dealing with legislation that will help promote a political platform, from which he can address the issue, since he has not been getting any support from the Democrats and Republicans. Mr. Bowhall then stated this has forced him to run for president as an independent but yet he is constantly kept from the public and censored by the media. Mr. Bowhall went on to say he also cannot receive signatures to get on the ballot because he works and represents the labor class which prevents him from going door to door and forces him to have a grassroots campaign established with only five months left. Mr. Bowhall then said this is not going to happen without help from the council or the public. Mr. Bowhall went on to say, during the last election cycle, he contacted the FBI and made himself available so none of this is new. Mr. Bowhall then proceeded to physically create the technology he invented long ago with paper and demonstrate its capabilities. Mr. Bowhall stated he has done fifty years of research into the technology and as far as the application for safety issues, it goes far beyond anything being manufactured for commercial or military air flight currently. Mr. Bowhall, after his demonstration, stated with it being based upon glider principle, it could be seriously damaged in war and still maintain flight, still land and still maintain its weight of over fourteen times its mass weight, which no current aircraft is capable of. Mr. Bowhall stated he wants to use this to set up a new system that would build land, air, sea and spacecraft, but it would be cheaper and be more useable for space re-entry and also more cost effective. Mr. Bowhall closed by saying that he needs the council's help getting his campaign recognized and that he does not want to see the technology end up in the hands of China or Russia.

Elizabeth Burton of 1416 Elm Street spoke next. Ms. Burton stated she had a question for Mayor Fuller. Ms. Burton then stated she attended a council meeting a while back after her residence at 2703 Pineknoll Street was flooded with Opelika city sewage. Ms. Burton went on to say she was told by the city attorney she would have a trial. Ms. Burton stated at her trial she had to plead her case as if she was an attorney because the city attorney stated they did not want

to allow her attorney to defend her due to a prior obligation. Ms. Burton then stated her attorneys have been intimidated and she would like to know why. Ms. Burton went on to ask if black lives really do matter and that we are in the middle of a pandemic where everyone should be wearing a mask to protect themselves and others. Ms. Burton then stated that to her it seems like the city just does not care about her and her family and she stated how upset about it she was. Ms. Burton then asked Mayor Fuller what does he think she should do, or what can the city do regarding her case because they have done everything they can to try and stop or block them, and she again stated how angry she was. Ms. Burton explained that no one should have to come into their home and stand in ten to twelve inches of raw sewage from everybody's house in the community and how it affected her health. Ms. Burton also stated that attorney Stan Martin told her opposer in the trail that they had nothing to worry about in front of her and how angry it made her. Ms. Burton also stated she intends to go further than the Supreme Court with her case and again asked what does Mayor Fuller recommend or what is going to be done about it. Mayor Fuller asked city attorney Guy Gunter if the city had already litigated the case. Mr. Gunter stated that Judge Hughes, the circuit judge for Lee County, entered a summary judgment in favor of the city and ESG that was eventually appealed to the Alabama Supreme Court. Mr. Gunter continued by saying the Supreme Court then affirmed Judge Hughes's decision to dismiss the lawsuit and since then Ms. Burton's attorneys have asked for a rehearing on the case and the motion for rehearing is pending at the present time. Ms. Burton then argued that they actually entered a judgment of "no opinion" according to the paperwork. Ms. Burton stated she has had to go even further by writing letters to other people including the Governor of Alabama and she intends on waiting to hear back from her and/or go even further after that. Ms. Burton went on to say she will be heard and what has happened is not right and it's not fair because of this "good ole boy" system where attorneys are working together to try and stop African-Americans and some of the other minorities because of racism and it's an injustice. Ms. Burton then stated that if Dr. King was alive today, he would be disgusted with the way this system is because he was for justice and peace for all. Ms. Burton explained how horrible the conditions were in her house and how no one would have been able to put up with it and how much they lost including their health. Ms. Burton closed by saying the system needs to be changed and they need someone to speak up for the African-Americans and minorities of all races because what is being done is not right.

Lindburgh B. Jackson of 814 N. College Street, Auburn, AL spoke next. Mr. Jackson stated he would like to let the Mayor and council know his appreciation for what they have done regarding 1113 Lake St. Mr. Jackson thanked Ms. Jones for her recommendation to council for extra time to work on the property due to the ongoing pandemic that has delayed their efforts to work on fixing the property. Mr. Jackson again gave his thanks and stated they are still moving forward with their efforts to bring the property up to standard so that it may be sold. Mr. Jackson also stated the Mayor had signed the building permit for them that day and again Mr. Jackson thanked him for doing that.

Alexis Meniefield of 1728 Cherry Circle Apt A spoke next. Ms. Meniefield stated she would like to address Ms. Jones as her Ward 1 representative. Ms. Meniefield stated they have

to deal with so much gun violence at her residence, that her 5 year old son sleeps in a closet every night due to his bed in his bedroom being so close to a window. Ms. Meniefield also stated she has taken this issue to the police, the housing authority and Ms. Jones and nothing has been done. Ms. Meniefield went on to say the gun violence has to stop before someone's child is killed. Ms. Meniefield then stated she has called for extra police patrols for peace of mind and so she can try to get some sleep. Ms. Meniefield did admit the Opelika Police Department has stepped up tremendously by coming through the area more lately but wanted to know why the police do not interact with them more. Ms. Meniefield gave examples of when she was a child the police would do things and interact with them in the community so they would have a mutual respect and trust with them. Ms. Meniefield went on to say now they don't trust the police and when they ask the community for help, they do not get any help because there is no relationship anymore with them. Ms. Meniefield did say there are some officers that are kind to them, and more need to be, so that they have that relationship moving forward. Ms. Meniefield also stated she feels like something tragic with a child is going to happen one day and it will be an "uh oh" moment that could have been prevented. Ms. Meniefield stated the police always tell them if they see something to say something and she does, and still nothing happens. Ms. Meniefield went on to say that she has lived there for five years and she cannot remember a time where she let her son go outside to ride his bike, even in broad daylight, due to being afraid of gun violence. Ms. Meniefield then asked what could we do as a community and stated she was representing her ward by asking these questions. Ms. Jones asked for permission to speak and stated she did not have the exact answer to resolve the issue. Ms. Meniefield interrupted by stating that Ms. Jones could not ever give her answers for anything. Ms. Meniefield went on to say that after living at her residence for over five years, she has never seen Ms. Jones campaign in her neighborhood and the first time she ever saw Ms. Jones was at national night out. Ms. Jones stated that should would not respond anymore. Ms. Jones then thanked the police officers and stated she knows they are in that area frequently due to her leadership with community policing since she has been on the council.

Oscar Penn with the Concerned Citizens of Opelika spoke next. Mr. Penn voiced his concern with the reports of an Opelika police officer using a racial slur and the transparency of that investigation. Mr. Penn stated he personally has had dealings with the Opelika Police Department over the years, and in his experience they have been very professional and he has no problem with the work that they do to accommodate the citizens. Mr. Penn went on to say if police officers are using racial slurs, that it is another form of police brutality. Mr. Penn also stated the professionalism that has been shown to him in the past, would lead him to believe that the racial slur would be something they would also stand against because of how badly that would reflect on the men and women of the police department and the community. Mr. Penn stated he has always taken for granted that Opelika will just let things go and that has to stop now because of what is going on and being recognized in our country these days. Mr. Penn also stated not only do black lives matter to him, but they should matter to everyone. Mr. Penn again stated he has no problem with the police department and in fact all of the white policemen he has known have treated him very well. Mr. Penn went on to say the only problem he has ever had

was with a black police officer who called him a racial slur, and the irony of that was he was someone they went to fight for when that officer was called a racial slur as well. Mr. Penn closed by saying all he wants is transparency with the investigation so they will have understanding of what is going on within the community's police department. President Smith stated to Mr. Penn that after the internal investigation is finished, it is his belief, it would be made available to the public as to what happened and what the results of the investigation were.

9. Report of Disbursements
10. Committee Reports
11. General Business

President Smith asked Mr. Jones to present the general business.

1. Request for HBO documentary filming on 6-16-2020.

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

2. Request for Downtown Juneteenth Peaceful March for Social Justice on 6-19-20.
Ms. Pitts asked a question about if she is involved in the event, should she abstain her vote. President Smith answered by saying no. Mr. Gunter said that only if she has a financial interest she would need to abstain.

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

3. Request from Opelika Rotary Club for Burger Wars on 8-22-2020.

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

4. Request Alcohol License by Jam Food Co. Inc. DBA Full Moon Bar B Que, Retail Wine and Beer On Premise.

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

5. Request Alcohol License by PK 9 Management LLC DBA Exxon 101, Retail Wine and Beer off Premise.

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

6. Public Hearing - Amend Towne Lake PUD Master Plan.
Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said amendment. No one came forward to speak. President Smith closed the public hearing.

7. Public Hearing - Amend Cannon Gate Master Plan.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said amendment. No one came forward to speak. President Smith closed the public hearing.

8. Public Hearing - Amend Zoning Ord & Map: Rezoning, 6.6 Acres, Dale Avenue.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. No one came forward to speak. President Smith closed the public hearing.

9. Public Hearing - Amend Zoning Ord & Map: Rezoning, 2.87 Acres, 1402 Fitzpatrick Avenue.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. Jake Roland, who lives at 601 Lankford St and owns a rental property at 501 Hunter St, stated that the area would not benefit from the rezoning because adding commercial space there would devalue the neighborhood and be an eyesore in that residential area. Planning Director Matt Mosley gave an explanation as to why the planning commission recommended the rezoning to council which included buffer zones and some other protections for the residential area. President Smith closed the public hearing.

10. Public Hearing - Amend Zoning Ord & Map: Rezoning, 0.7 Acres, 1813 Old Columbus Road.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. No one came forward to speak. President Smith closed the public hearing.

11. Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

12. Public Hearing - Weed Abatement Assessment - 610 M L King Blvd.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. Ms. Jones stated it seemed that the grass at the property had already been cut. Mr. Gunter stated all of the weed abatements have already been cut at the city's expense and this is to assess the cost back against the property. President Smith closed the public hearing.

13. Public Hearing - Weed Abatement Assessment - 1108 Chandler Ave.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

14. Public Hearing - Weed Abatement Assessment - 514 Old Columbus Road.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

15. Public Hearing - Weed Abatement Assessment - 1109 Magnolia Street.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

16. Public Hearing - Weed Abatement Assessment - 105 Vaughan Ave.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

12. Awarding of Bids

President Smith asked Ms. Finley to present the bids.

1. Bids 096-20 Contract for Uniform Cleaning (FD).
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Tiffany Gibson-Pitts, Council Member
SECONDER: Patricia Jones, President Pro-Tem
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
2. Bids 097-20 Contract for Ductile Iron Utility Poles (OPS).
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Dozier Smith T, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
3. Bids 098-20 Contract for Pole Rack Mounted Switched and Fixed Capacitor Banks (OPS).
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith

13. Resolutions

President Smith asked Mr. Gunter to present the resolutions.

1. Resolution 099-20 Request Refund of Occupational License Fees to Rondo, Inc.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: David Canon, Council Member
SECONDER: Tiffany Gibson-Pitts, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
2. Resolution 100-20 Request Refund of Building Permit Fees to East Construction, LLC.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Dozier Smith T, Council Member
SECONDER: David Canon, Council Member
AYES: Jones, Gibson-Pitts, Smith T, Canon, Smith
3. Resolution 101-20 Amend CDBG Program Year 2019 Action Plan.

Ms. Pitts stated she had a few questions about the micro enterprise assistance. Ms. Pitts asked about the application process for businesses to receive assistance. Community Development Administrator Lisa Thrift stated the applications are in place but would not be available until the funds are received and it is a first come first serve process after meeting qualifications. Ms. Pitts also asked about the requirements for businesses to apply for assistance. Ms. Thrift stated the business owner must be low to moderate income based upon their tax returns, their profits prior to COVID-19 versus their profits after COVID-19 and the number of employees prior to and after COVID-19. Ms. Pitts then asked about the maximum amount that could be given to these businesses. Ms. Thrift stated a maximum of \$3000.00 can be given to each business that qualifies. Ms. Pitts also asked if Ms. Thrift could send the applications out to the council when they are ready, after the funding is received, so they can get the applications directly to their constituents. Ms. Thrift said she would do that when she had them ready. President Smith stated in addition that Ms. Thrift has been working with the city's controller Ms. Boyd on how to determine the applicants to make sure they are eligible for the assistance.

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

4. Resolution 102-20 Reprogram CDBG Program Year 2019 Funds.

Ms. Pitts stated she had concerns about moving the money out of sidewalk funding into the micro enterprise funds due to her multiple requests for sidewalks and curbs to be improved in her district that have not been taken care of yet. Ms. Thrift explained the amount of money in the allotment given would not be enough to assist as many people and since the monies being moved were not being used, it made more sense to move them to the micro enterprise funds to help more people that have been affected by COVID-19. Ms. Pitts then asked why the sidewalk money is not being used currently if there are needs for it around town. Planning Director Matt Mosley stated the requests to repair sidewalks are rare and that he was unaware of Ms. Pitts requests. Mr. Mosley said they would be glad to have someone take a look at where she is requesting sidewalks to be repaired and if it meets the criteria, there would most certainly be funds available to take care of the areas requested. Ms. Pitts then asked if the amount of money being requested to be moved is moved, would there still be other funding available to take care of sidewalks. Mr. Mosley assured Ms. Pitts there is other funding available in the current year's budget and also from a previous year's budget for sidewalks and infrastructure improvements. Ms. Jones stated she was thinking moving the money was also to help with individual rent assistance as well as for the small businesses. Ms. Thrift stated that was correct and after the funds are reprogrammed they would be able to assist 40 households with rent, mortgage and/or utilities and 45 small businesses as long as they meet the criteria and qualify for the assistance. Ms. Pitts asked what the maximum amount would be for mortgage assistance. Ms. Thrift stated it would be \$1500.00 per individual household. Ms. Pitts asked if that was for houses and not utility assistance. Ms. Thrift stated it could be a combination of rent, mortgage and/or utilities up to \$1500.00 per household.

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

5. Resolution 103-20 Weed Abatement Assessment - 12 E Johnson Ave.

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

6. Resolution 104-20 Weed Abatement Assessment - 610 M L King Blvd.

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

7. Resolution 105-20 Weed Abatement Assessment - 1108 Chandler Ave.

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

8. Resolution 106-20 Weed Abatement Assessment - 514 Old Columbus Road.

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

9. Resolution 107-20 Weed Abatement Assessment - 1109 Magnolia St.

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

10. Resolution 108-20 Weed Abatement Assessment - 105 Vaughan Ave.

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

11. Resolution 109-20 Approve Rocky Brook Rd Culvert Change Order.

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

14. Ordinances

President Smith asked Mr. Gunter to present the ordinances.

1. Ordinance Amend Towne Lake PUD Master Plan, Towne Lake Parkway - 2nd Reading.
Mr. Smith T introduced this ordinance for a first reading.

RESULT: **FIRST READING INTRODUCED**

2. Ordinance Amend Cannon Gate PUD Master Plan - 2nd Reading.
Mr. Canon introduced this ordinance for a first reading.

RESULT: **FIRST READING INTRODUCED**

3. Ordinance Amend Zoning Ord & Map: Rezoning, 6.6 Acres, Dale Avenue - 2nd Reading.

Mr. Smith T introduced this ordinance for a first reading.

RESULT: **FIRST READING INTRODUCED**

4. Ordinance Amend Zoning Ord & Map: Rezoning, 2.87 Acres, 1402 Fitzpatrick Avenue - 2nd Reading.

Mr. Smith T introduced this ordinance for a first reading.

RESULT: **FIRST READING INTRODUCED**

5. Ordinance Amend Zoning Ord & Map: Rezoning, 0.7 Acres, 1813 Old Columbus Road - 2nd Reading.

Mr. Canon introduced this ordinance for a first reading.

Mr. Gunter also reminded the Mayor and council that the first day to qualify for the municipal election is on Tuesday July 7, 2020, which is also the next council meeting date.

RESULT: **FIRST READING INTRODUCED**

15. Appointments

1. Appoint Michael Buckalew to the Downtown Redevelopment Authority, new term ends 8-7-2022.

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

2. Appoint Harvey Floyd to the Downtown Redevelopment Authority, new term ends 8-7-2024.

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

3. Reappoint Rush Denson to the Historic Preservation Commission, new term ends 8-19-2023.

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

4. Reappoint Leigh Whatley to the Historic Preservation Commission, new term ends 8-19-2023.

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

16. Adjourn

The City Council meeting minutes of June 16, 2020 are hereby adopted and approved this the 7th day of July, 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 - Cooperation, the act or instance of working or acting together.

President Smith read the character trait of the month and asked if there was any other business. Ms. Pitts asked if she could get an update on the status of the poles on S. 4th Street being re-

painted. Mr. Motley stated that he would need to get with Derek Lee of Opelika Power Services to check on why it is taking the contracted company so long and he would follow up with her.

2. Motion to Adjourn.

The council meeting ended at 8:00 pm.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Patricia Jones, President Pro-Tem

SECONDER: David Canon, Council Member

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



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

CM MINUTES (ID # 4094)

Meeting: 06/16/20 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4094

Minutes from the 06-02-20 Council Meeting.

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



OPELIKA CITY COUNCIL
“ REGULAR MEETING MINUTES “
 300 Martin Luther King Blvd.
June 2, 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

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

3. Invocation

Minister Kevin Flannagen and Pastor Hamlet Barnes jointly provided the invocation.

1. Minister Kevin Flannagen from The Edge and Pastor Hamlet Barnes from Mustard Seed Faith Center.

4. Pledge of Allegiance

Elsie Beaver and Jordyn Brown of Girl Scout Troop 7238 led the Pledge of Allegiance.

1. Elsie Beaver and Jordyn Brown with Girl Scout Troop 7238.

5. Reading of Minutes

1. Minutes from the 05-19-20 Council Meeting.

Ms. Jones asked for her name as chair of the education committee under the Mayor's remarks be added to the minutes to reflect her being thanked specifically by the Mayor for the work done by her and the education committee of the Opelika Crime Commission to secure Alabama First Class Pre-K grant monies. Mr. Jones said that he would make the correction for Ms. Jones.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dozier Smith T, 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 stated that he had 2 items to share with the council. The first item was about the Opelika Share program. Mayor Fuller explained the program helps qualified Opelika residents with their power bills and then explained the qualifications and requirements for the program. Mayor Fuller then explained how to give to Opelika Share by checking a box on your power bill or by calling Opelika Power Services and stating how much you would like to contribute to the program. Mayor Fuller explained there are elderly and disabled folks hurting in our community right now and encouraged all to participate in Opelika Share to make sure there are sufficient funds to help. The second item Mayor Fuller talked about was compassion. Mayor Fuller stated no matter the circumstances, he tries to understand what people may be going through and love them unconditionally. Mayor Fuller then read Matthew 22:36-40 NIV. "Teacher, which is the greatest commandment in the Law?" Jesus replied: "Love the Lord your God with all your heart and with all your soul and with all your mind.' This is the first and greatest commandment. And

Attachment: CM minutes from 6-2-20 (4094 : Minutes from the 06-02-20 Council Meeting.)

the second is like it: 'Love your neighbor as yourself.' All the Law and the Prophets hang on these two commandments." Mayor Fuller stated that like everyone, he was shocked, angered and saddened by the tragic and needless death of George Floyd. Mayor Fuller also stated every Opelika Police officer he has spoken with feels as he does about it. Mayor Fuller then stated now is the time for our community, state and nation to choose love and tolerance along with kindness and understanding. Mayor Fuller then commended the organizers and all people in attendance of the demonstration at courthouse square the previous Saturday. Mayor Fuller said the protest was peaceful and he believed the message was well received by the community. He went on to say that as his mother used to tell him, "Two wrongs don't make a right". The willful destruction of property and criminal acts in some communities around the nation are not the right way to affect change. Mayor Fuller encouraged everyone to exercise patience when communicating with others while thinking, speaking and acting from a consciousness of love. Mayor Fuller then stated "As the Indians used to say, 'You don't know a man until you walk a mile in his moccasins.' So let's fill our hearts with compassion and with empathy." Mayor Fuller closed by reading Colossians 3:12. "As God's chosen ones, holy and beloved, clothe yourselves with compassion, kindness, humility, meekness, and patience."

8. Citizen Communications

Natalie Simpkins stated she is currently a senior at UAB majoring in neuroscience and minoring in sociology. Ms. Simpkins stated she was born and raised in Opelika and has always loved the city. Ms. Simpkins said she was encouraged to see such a diverse set of people willing to make changes in this town. Ms. Simpkins also said she was encouraged to see that Opelika's population is fifty percent white and fifty percent non-white. Ms. Simpkins went on to say how hurt and anguished she was by the recent events in America with the death's of Ahmaud Arbery, George Floyd and Breonna Taylor. Ms. Simpkins watched two videos of two men viciously slaughtered and the decent that happened afterwards. Ms. Simpkins stated she is not black and cannot imagine the pain and fear that people in her community face daily. Ms. Simpkins also stated she recognizes that her privilege has granted her the opportunity to achieve great things and has also granted her a comfort that many others in her community do not have. Ms. Simpkins stated it is her privilege to stand before the council and speak on behalf of those who cannot speak for themselves. Ms. Simpkins then offered her opinions and suggestions on how to protect the citizens and sworn officers of Opelika. "Firstly, it is at my attention that the citizens of Opelika do not know and cannot access the teachings and lessons done in the 11 week training and 13 week academy for law enforcement officers and I encourage that information be public so that citizens can be aware and encourage reform if needed. Secondly, I encourage the training of all city employees and students to include both implicit bias testing, which is free on the internet, and cultural competency training and be aware of those results so that they may be able to self reflect and diminish those biases in the workplace. Also, first responders should be taught stress management and conflict resolution. As well all know the duties of law enforcement and first responders are constantly demanding and can involve stressful situations. I also encourage the idea of officer first training, if it exists in the curriculum, to be mitigated as it creates a destructive power dynamic and can cause unhealthy and problematic situations. Aside from law

enforcement, I offer suggestions to the Opelika School System. I'm a graduate of Opelika High, Class of 2017. I was class poet and a Kilgore Scholar, and I have been taught by some of the best teachers in my education including Oneika Smith, Kendra Allen, Jimmy Johnson and Bryant Huguley of Opelika Middle School. Throughout my time, I was taught about racism and the bravery of the civil rights movement that had such a profound impact on our community. But I am not blind to the implicit and explicit racism that occurred to the people of minorities almost daily at my education. And now as someone who can vote, I also know the power of the ballot and it is at my request that along with the suggestions I have made before that students 18 and up at Opelika High School have the opportunity to register to vote in house at Opelika High School the day that they turn 18 and they have valid ID. It is also my request that local laws including criminalization Miranda rights and rights placed on citizens is taught at the highest capacity in our government classes. And my last request involves very active participation. I propose that law enforcement begin meaningful conversations with minority community leaders such as pastors, people of color business owners and other prominent figures more so than just city council meetings. This is a great opportunity to promote better relations where most people just want to be heard. Again, I suggest these things not solely for the protection of the citizens but for the protection of the officers who have sworn to protect those citizens. None of these things that I have requested today are political. They do not have a partisan bind. They solely come out my concern from America and what I don't want Opelika to become. I don't want Opelika burned to the ground. I want Opelika to be a beacon of light in the south where we have had the most racial prejudices of all time for a while now. I want us to be a beacon and I want us to do something. Be the change that we want to see. And I want to leave with this, that patriotism is not just a love for our country and our community, it is the ability to seek out injustice and squander it. To make better without judgment of the past and to want more from our government because we believe in it, we believe in our values and we deserve better. Thank you."

William Bowhall of 2016 Old Lafayette Hwy spoke next. Mr. Bowhall stated he has spoken with the city of Opelika engineering department and tried to speak with the planning department to find out who is in charge of taking care of the embankment on Lafayette Pkwy going north just past Opelika High School. Mr. Bowhall stated the embankment is overgrown with trees and shrubs and is an eyesore. Mr. Bowhall then stated he contacted the Alabama Department of Transportation located on Hwy 280 about 6 or 7 years ago because the Mayor's office gave him their number, and he made one phone call to them and they came out and took care of the embankment issue immediately. Mr. Bowhall also stated since then the department of transportation has changed hands and there has been no oversight of the embankment. Mr. Bowhall said he has talked with a Rebecca, doesn't remember her last name, and the in field supervisor about two weeks ago when he finally got them to come out and look at the area in question. Mr. Bowhall stated he was told directly that the Alabama Department of Transportation would not deal with the issue at all and was also told by the supervisor that even if his people were taking care of the embankment now, he would stop them immediately. Mr. Bowhall then stated the supervisor tried to put the care of the embankment in question off onto the city and the railroad, but he found out from the City of Opelika engineering department it is

in fact the responsibility of the department of transportation. Mr. Bowhall also stated he contacted the Lt. Governor about a month ago with photos of the area. Mr. Bowhall did state that the city is taking care of their areas and how there is a roundabout there for buses. Mr. Bowhall then stated he has been there for 22 years and his neighbors requested their kids be dropped off in that area before he moved there. Mr. Bowhall went on to say there is a sign in that area that says no parking but because of the overgrowth and age of the sign, it cannot be seen causing issues with people parking there and even leaving semi trucks there for weeks at a time. Mr. Bowhall then stated something needs to be done about it and he doesn't appreciate the grief caused by this since this is the second time he has had to contact the department of transportation about the issue. Mr. Bowhall stated the department of transportation doesn't want to deal with it because of the steepness of the embankment and he suggested to them that they keep up the care of it and it wouldn't be such an issue going forward. Mr. Bowhall went on to say there is a new development going in down from where the issue is that is going to raise the property values of the neighborhood and how he's never had a problem in his neighborhood. Mr. Bowhall then stated he would like to see the embankment cleaned up, not only as a resident, but how he feels like the state's department that should be taking of the issue is being provided tax payer dollars to do so, but not. President Smith stated Mr. Bowhall's time had expired and said that he would ask Mayor Fuller and City Administrator Mr. Motley to look into the situation for him.

Izaak Standridge of Elliott Ave spoke next. Mr. Standridge stated this week was his one year anniversary of being a resident of Opelika and he is really happy to be here because he was recently married in Opelika and also recently became a homeowner in Opelika. Mr. Standridge then stated "I decided to come speak today because of what has transpired throughout our country this past week as a result of what medical examiners are now describing as a homicide at the hands of Minneapolis police against George Floyd. My priority in coming tonight is to work to ensure that nothing like that happens here in Opelika. As a result, I would like to discuss the role of policing in our community and what our city's budget can tell us. I want to start by saying that I believe that budgets are a reflection of our values and goals. After reviewing our city's budget I was surprised to see that our largest expenditure is public safety coming in at around 29%. It is actually double the next largest expenditure. In regards to the role of policing, Brooklyn College Sociology Professor, Dr. Alex Vitale researches some of the trends we have seen in this country around policing and one of those trends is that we are beginning to see police as a way to address every social problem. Instead of directly addressing social problems head on, we now rely on police to do that. As a result police are now asked to manage social problems such as poverty, homelessness, mental health issues, and schools who could benefit from additional professional resources, and much more. As we examine our community budget, that seems to bear some truth. As I mentioned previously, public safety makes up around 29% of the budget where as education and health/wellness make up 5% and 1% respectively. As part of the national dialog, here are a couple of creative ideas that stand out to me and may help us think about alternatives to policing. One, in regards to domestic violence, what if there were resources for individuals experiencing abuse at the hands of their partner that would allow them to meet a

professional at a safe place to discuss their options? Or if a neighbor is have a mental health crisis, what if a trained mental health expert could provide a wellness check on them rather than asking the police to do that? As a trained educator, I know when I began my career as a first grade teacher I would have loved for my students to have more access to counselors, social workers, and after school enrichment activities. In essence public schools based on a community school's model. I'm sure everyone here could think of an alternative way to manage social problems without the use of law enforcement agents potentially putting themselves and others at risk. As a credit to this council, I would like to note that I think it's wonderful that we invest so much in culture and recreation funds. My wife and I have enjoyed pottery classes at the community center immensely. In closing I would like to remind you that my hope is that we can continue to have these conversations around the role of policing in the community and work towards a budget that reflects our values by investing in public safety funds for education and mental health, increasing those, and decreasing public safety funds by asking our police to no longer manage all social problems but have public funds that are used to reduce social problems through other appropriate means. Thanks again for the opportunity to address you and I look forward to any opportunity to work with you."

Clay Williford of 1216 Brookwood Circle spoke next. Mr. Williford stated he represents O-Grows, the community garden, and the farmers market and wanted to remind everyone about the 2nd Annual Opelika Giving Day on Wednesday June 3, 2020. Mr. Williford also stated there are 12 local organizations that are part of the event and the Community Foundation of East Alabama is coordinating as well. Mr. Williford encouraged everyone to visit opelikagivingday.com or find it on facebook and choose your favorite charity to join, and all the money raised will stay right here in our community. President Smith stated that at the last council meeting each council member gave money from their discretionary funds to the event.

Lindburgh B. Jackson spoke next. Mr. Jackson stated he was speaking on behalf of the owner of 1113 Lake St. Mr. Jackson also stated his primary reason for speaking was because of the time delay due to the pandemic, and they had made contact with the persons who paid the previous taxes on the property and they have been in touch with their attorneys. Mr. Jackson went on to say due to the pandemic they have not been able to get into the courthouse to make the necessary corrections in terms of taxes and other things but they have heard back from them and plan to move forward. Mr. Jackson also stated it is difficult right now to get all of the subcontractors and others to do the work to the property, but their attorney Mr. Foote has prepared all of the requested documents and they plan on moving forward. Mr. Jackson introduced Mrs. Humphries whom has not changed her mind about purchasing the property. Mr. Jackson stated that Mrs. Humphries also has a tenant lined up that would also be willing to work on fixing up the property. Mr. Jackson then stated Mrs. Humphries contacted the city's building inspection department about the property and spoke with an employee named David Chapman. According to Mrs. Humphries, Mr. Chapman told her that he had been working for several years to tear down the property in question. Mr. Jackson went on to say that he believes that we should be working together to solve our differences in light of what is going on in our country and not looking to tear down low income housing but work together to create more housing in

these areas that have had a lot of housing torn down. President Smith asked Mr. Gunter about looking into the dates and deadlines about the property in question in regards to the demolition. Mr. Gunter stated that in this case the council had ordered the demolition of the property and that the property is supposed to be taken down after 180 days following the council's approval. Mr. Gunter asked Mr. Jackson if he remembered the date the property had until being taken down. Mr. Jackson said it would be in July but due to what is going on in the country with the pandemic and the delays involved, it should be taken into consideration when talking about a timeline going forward. Mr. Jackson then stated he wanted to come to the meeting to let the council know they are doing their part and trying to do as much as possible under the circumstances, and short of getting a permit and going to work on the property, they have done almost everything that has been asked of them. Ms. Jones asked if the city has sent anything to the property owners letting them know the time had expired and that she would suggest letting them have the time they were not able to work back. President Smith then asked Mr. Jackson if he had spoken with Mr. Kappelman. Mr. Jackson stated that unfortunately they have not been able to talk to a lot of people and they have turned it over to their attorney and he has recently been able to contact the appropriate people. President Smith then asked Mr. Jackson to see Mr. Motley after the meeting to see what action could be done moving forward.

9. Report of Disbursements
10. Committee Reports
11. General Business

President Smith asked Mr. Jones to present the general business.

1. Request 2020 Collinwood Christmas Luminaries on Friday, December 18th.

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

12. Awarding of Bids

President Smith asked Mr. Motley to present the bids.

1. Bids Vacuum Excavation and Utility Daylighting Services - OPS.

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

2. Bids Substation U Bushings - OPS.

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

13. Resolutions

President Smith asked Mr. Gunter to present the resolutions.

1. Resolution Designate City Personal Property Surplus and Authorize Disposal.

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: David Canon, Council Member

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

2. Resolution Request refund of Building Permit Fees to Maurice Ward.

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Patricia Jones, President Pro-Tem

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

3. Resolution Contract Award City Wide Paving Project to East Alabama Paving Co. Inc. Ms. Pitts asked when the work for this would start. Lee McInnis Assistant City Engineer stated that the work would start about 2 months from now after the following resolution for general roadway improvements to curbs and other items was completed. Ms. Pitts asked about a couple of streets that she had submitted, and asked Mayor Fuller about, if they were part of this project and if there was a list of the streets available. Mr. McInnis stated there is a list he could provide. Ms. Pitts specifically asked about Hamer Street and Mr. McInnis confirmed that it was on the list.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Tiffany Gibson-Pitts, Council Member

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

4. Resolution Contract Award General Roadway Improvements Project to Robinson Paving Co. Inc.

RESULT: APPROVED [UNANIMOUS]

MOVER: Dozier Smith T, Council Member

SECONDER: Patricia Jones, President Pro-Tem

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

5. Resolution Approve amendment to project development agreement with 280 Land Company, LLC.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Canon, Council Member

SECONDER: Dozier Smith T, Council Member

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

6. Resolution Accept Dedication of Right-of-Way of Lowe's Drive.

RESULT: APPROVED [UNANIMOUS]

MOVER: Tiffany Gibson-Pitts, Council Member

SECONDER: Patricia Jones, President Pro-Tem

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

14. Ordinances

15. Appointments

16. Adjourn

The City Council meeting minutes of June 2, 2020 are hereby adopted and approved this the ____ day of _____, 2020.

Attachment: CM minutes from 6-2-20 (4094 : Minutes from the 06-02-20 Council Meeting.)

President of City Council
City of Opelika, Alabama

ATTEST:

Russell A. Jones

City Clerk - Treasurer

1. Character Trait of the Month - Cooperation, the act or instance of working or acting together.

President Smith read the character trait of the month and asked if there was any other city business. Ms. Pitts nominated Harvey "Doug" Lloyd to be on the Opelika Downtown Redevelopment Authority and gave his qualifications. Ms. Pitts also thanked Mayor Fuller, Mr. Motley and Mike Hilyer for the ride through of her ward to address issues with grass cutting. Ms. Pitts said that everything looks great in her area and she appreciates them working with the compliance office to have property owners address their areas that are not being taken care of properly. President Smith stated that the nomination would be on the next meeting's agenda.

2. Motion to adjourn.

The council meeting ended at 7:47 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 6-2-20 (4094 : Minutes from the 06-02-20 Council Meeting.)

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**MAYOR'S REMARKS (ID # 4105)**

Meeting: 06/16/20 07:00 PM

Department: City Clerk

Category: City Financial Statements

Prepared By: Russell Jones

Initiator: Russell Jones

Sponsors:

DOC ID: 4105

City's Financial Summary Report for May 2020.

COMMENTS - Current Meeting:

Mayor Fuller asked if the council had any questions about the financial summary report to contact himself, Mr. Motley or Cindy Boyd and they would be happy to answer their questions.

City of Opelika
 Combined Balance Sheet - All Funds and Account Groups (Interim Report)
 May 31, 2020
 *Thousands of dollars

	Governmental Funds					Garden Hills					
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Cemetery Permanent Fund	Internal Service Funds	Enterprise Funds	General Capital Assets	General Long Term Debt	Total	
ASSETS											
Cash	\$ 36,813	\$ 14,705	\$ 37	\$ 1,009	\$ -	\$ 4,379	\$ 39,812	\$ -	\$ -	\$ 96,755	
Certificates of deposit	21,987	5,000	-	-	-	-	8,529	-	-	35,516	
Receivables:											
Accounts and unbilled service	-	-	-	180	-	-	4,932	-	-	5,112	
Taxes	7,348	8,105	-	-	-	-	-	-	-	15,453	
Licenses and fees	3,006	-	-	-	-	-	-	-	-	3,006	
Fines and forfeitures	-	-	-	-	-	-	-	-	-	-	
Assessments	193	-	-	-	-	-	-	-	-	193	
Interest	(207)	-	-	-	3	-	2	-	-	(202)	
Other	199	703	-	-	-	14	-	-	-	916	
Due from other funds	155	-	-	-	10	-	8,464	-	-	8,629	
Due from other governments	2,996	68	-	-	-	-	979	-	-	4,043	
Inventories of supplies, at cost	128	-	-	-	-	-	1,205	-	-	1,333	
Prepaid expenses	459	-	-	-	-	-	-	-	-	459	
Investments	-	14	-	-	1,225	-	-	-	-	1,239	
Investments with fiscal agent	-	-	621	-	-	-	602	-	-	1,223	
Capital assets:											
Land	-	-	-	-	-	-	2,462	10,308	-	12,770	
Buildings	-	-	-	-	-	-	13,666	45,437	-	59,103	
Equipment	-	-	-	-	-	-	11,990	24,100	-	36,090	
Utility systems	-	-	-	-	-	-	117,315	-	-	117,315	
Infrastructure	-	-	-	-	-	-	-	119,355	-	119,355	
Construction in progress	-	-	-	-	-	-	206	20,976	-	21,182	
Total capital assets	-	-	-	-	-	-	145,639	220,176	-	365,815	
Less: accumulated depreciation	-	-	-	-	-	-	(71,666)	(65,744)	-	(137,410)	
Capital assets, net	-	-	-	-	-	-	73,973	154,432	-	228,405	
Deposits	-	69	-	-	-	19	146	-	-	234	
Amount to be provided for general long term debt									86,747	86,747	
Total assets	73,076	28,664	658	1,189	1,237	4,412	138,644	154,433	86,747	489,060	
DEFERRED OUTFLOWS OF RESOURCES											
Employer retirement contributions	-	-	-	-	-	-	1,528	-	-	1,528	
Difference on projected OPEB earnings investments	-	-	-	-	-	-	638	-	-	638	
Bond refunding costs	-	-	-	-	-	-	2,434	-	-	2,434	
Total deferred outflows of resources	-	-	-	-	-	-	4,600	-	-	4,600	

City of Opelika
 Combined Balance Sheet - All Funds and Account Groups (Interim Report)
 May 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
LIABILITIES										
Accounts payable	686	-	-	-	-	47	9,417	-	-	10,150
Interest payable	-	-	-	-	-	-	261	-	-	261
Accrued payroll and benefits, due within one year	120	-	-	-	-	-	157	-	-	277
Due to other funds	10	155	-	-	-	-	8,464	-	-	8,629
Due to other governments	14	46	-	-	-	-	-	-	-	60
Claims and judgements, due within one year	-	-	-	-	-	312	-	-	-	312
Bonds payable due within one year	-	-	-	-	-	-	590	-	-	590
Claims and judgements, due in more than one year	-	-	-	-	-	136	-	-	-	136
Bonds payable, due in more than one year	-	-	-	-	-	-	28,342	-	86,747	115,089
Net pension liability	-	-	-	-	-	-	8,828	-	-	8,828
Accrued payroll & benefits, due in more than one year	-	-	-	-	-	-	1,545	-	-	1,545
Customer deposits held	-	-	-	-	-	-	3,156	-	-	3,156
Total liabilities	829	201	-	-	-	495	60,759	-	86,747	149,032
DEFERRED INFLOWS OF RESOURCES										
Net difference in earnings on retirement plan	-	-	-	-	-	-	418	-	-	418
Net change in OPEB assumptions	-	-	-	-	-	-	37	-	-	37
Unearned revenues	4,190	8,640	-	-	-	355	249	-	-	13,434
Total deferred inflows of resources	4,190	8,640	-	-	-	355	705	-	-	13,891
FUND BALANCES										
Nonspendable	128	69	-	-	1,230	-	-	-	-	1,427
Restricted	221	6,042	658	1,116	-	612	602	-	-	9,251
Committed	35	-	-	-	-	-	-	-	-	35
Assigned	18,216	13,098	-	-	-	2,937	-	-	-	34,251
Unassigned	39,393	(18)	(2)	185	7	-	-	-	-	39,565
Invested in capital assets, net of related debt	-	-	-	-	-	-	47,474	154,433	-	201,907
Unrestricted	-	-	-	-	-	-	31,162	-	-	31,162
Encumbrances	10,064	632	-	73	-	12	2,542	-	-	13,323
Total fund balances	68,056	19,823	658	1,189	1,237	3,562	81,779	154,433	-	330,738

City of Opelika

Combined Statement of Revenues, Expenditures, and Changes in Fund Balance - All Governmental Funds and Account Groups (Interim FYTD May 31, 2020)

*Thousands of dollars

	Governmental Funds					Total
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	
REVENUES:						
Taxes	\$ 27,457	\$ 8,227	\$ -	\$ -	\$ -	\$ 35,684
Special assessments	-	-	-	-	-	-
Licenses and permits	14,248	261	-	-	-	14,509
Intergovernmental	358	1,153	-	58	-	1,569
Charges for services	1,212	-	-	-	-	1,212
Fines and forfeits	198	-	-	-	-	198
Grants	4	-	-	-	-	4
Contributions	121	-	-	-	-	121
Investment income	430	94	4	4	10	543
Miscellaneous	304	4	-	-	-	308
Total revenues	44,331	9,739	4	62	10	54,148
EXPENDITURES:						
General government	4,938	174	-	-	5	5,117
Public safety	11,328	153	-	-	-	11,481
Public works	3,694	1	-	-	-	3,695
Health	243	-	-	-	-	243
Education	2,208	7,000	-	-	-	9,208
Welfare	80	-	-	-	-	80
Culture and recreation	3,786	-	-	-	-	3,786
Economic development	641	155	-	-	-	796
Capital outlay	7,198	(16)	-	142	-	7,324
Debt service:						
Principal retirement	-	-	5,965	-	-	5,965
Interest and fees	-	-	3,544	-	-	3,545
Total expenditures	34,116	7,467	9,509	142	5	51,241
Excess of revenues over/(under) expenditures	10,216	2,272	(9,506)	(81)	5	2,907
Other financing sources/(uses):						
Proceeds from debt issuance	-	-	49,704	-	-	49,704
Proceeds used to refund bonds	-	-	(45,410)	-	-	(45,410)
Sale of capital assets	2	-	-	-	-	2
Transfers from other funds	2,029	2,351	5,831	44	18	10,273
Transfers to other funds	(7,588)	(1,904)	-	-	(17)	(9,509)
Total other financing sources/(uses)	(5,557)	446	10,124	44	1	5,060
Net change in fund balances	4,659	2,718	619	(36)	6	7,967
Fund balances, beginning of the year	63,398	17,105	36	1,225	1,230	82,995
Fund balances, end of period	\$ 68,056	\$ 19,823	\$ 656	\$ 1,189	\$ 1,237	\$ 90,962

Attachment: May 2020 Financial Stmtts (4105 : City's Financial Summary Report for May 2020.)

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

	Electric FYTD	Sewer FYTD	Solid Waste FYTD	Workmen's Comp. FYTD	Health Insurance FYTD
ASSETS					
Current assets:					
Cash	\$ 28,650	\$ 8,694	\$ 2,438	\$ 3,287	\$ 1,092
Certificates of deposit	8,529	-	-	-	-
Receivables and prepaid expenses	4,298	334	302	-	14
Due from other funds and governments	8,464	979	-	-	-
Inventory	1,205	-	-	-	-
Total current assets	51,145	10,007	2,741	3,287	1,106
Restricted assets:					
Cash and investments with fiscal agent	601	1	-	-	-
Total restricted assets	601	1	-	-	-
Net capital assets	43,013	28,798	2,161	-	-
Other assets:					
Deposits	143	3	-	19	-
Total other assets	143	2	-	19	-
Total assets	94,902	38,808	4,902	3,306	1,106
DEFERRED OUTFLOWS OF RESOURCES					
Retirement contributions	1,004	-	374	-	-
Difference on projected OPEB earnings	450	-	169	-	-
Bond refunding costs	2,362	72	-	-	-
Total deferred outflows of resources	3,816	72	542	-	-
Total assets and deferred outflows of resources	98,718	\$ 38,880	\$ 5,445	\$ 3,306	\$ 1,106
LIABILITIES					
Current liabilities:					
Accounts and other payables	\$ 9,790	\$ 6	\$ 38	\$ 49	\$ 310
Due to electric fund	-	-	-	-	-
Due to other funds	-	-	-	-	-
Bonds payable within one year	-	590	-	-	-
Unearned revenue	250	-	-	-	355
Total current liabilities	10,040	596	38	49	665
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	1,252	-	-	-
Net pension liability	5,484	-	1,885	-	-
Customer deposits held	2,987	-	169	-	-
Total noncurrent liabilities	36,681	1,252	2,462	136	-
Total liabilities	46,721	1,848	2,501	185	665
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	46,987	1,848	2,605	185	665
NET POSITION					
Invested in capital assets, net of related debt	18,285	27,028	2,161	-	-
Restricted	601	1	-	612	-
Unrestricted	31,130	9,199	657	2,509	429
Encumbrances	1,716	803	22	-	12
Total net position	51,732	37,031	2,840	3,121	441
Total liabilities, deferred inflows, and net position	\$ 98,718	\$ 38,880	\$ 5,445	\$ 3,306	\$ 1,106

City of Opelika
Combined Summary Statement of Revenues, Expenses, and Changes in Net Position (Interim Report)
Proprietary and Fiduciary Funds
FYTD May 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	\$ 24,683	\$ 3,255	\$ 2,402	\$ 275	\$ 2,644
Operating Expenses					
Purchases	14,597	-	288	-	-
Depreciation	1,984	727	239	-	-
Personnel services	2,191	-	813	-	-
Other	1,407	1,341	468	146	2,172
Total operating expenses	20,179	2,068	1,809	146	2,172
Operating income/(loss)	4,503	1,187	594	129	471
Nonoperating Revenues/(Expenses)					
Gain/(Loss) on sale of capital assets	33	-	(2)	-	-
Fiber optic line leases	8	-	-	-	-
Investment income	401	42	14	19	2
Grant income	-	18	-	-	-
Pole rental	111	-	-	-	-
Miscellaneous revenues	623	-	13	-	-
Interest expense and charges	(763)	(159)	-	-	-
Total nonoperating revenues/(expenses)	413	(99)	26	19	2
Other Revenues and Transfers In/(Out):					
Capital contributions	404	-	-	-	-
Transfers from other funds	-	-	-	-	-
Transfers to other funds	(2,000)	-	-	-	-
Total other revenues/(expenses)	(1,596)	-	-	-	-
Net Income/(loss)	3,320	1,087	620	149	474
Net position, beginning of year	48,411	35,944	2,220	2,972	(32)
Net position before encumbrances	51,732	37,031	2,840	3,121	441
Encumbrances	1,716	803	22	-	4
Net position, end of period	\$ 50,016	\$ 36,228	\$ 2,817	\$ 3,121	\$ 437
Additional Information:					
Cash position at September 30, 2020	\$ 28,650	\$ 8,694	\$ 2,438	\$ 3,287	\$ 1,092
Cash position at September 30, 2019	22,724	6,672	1,915	3,142	654
Change in cash	\$ 5,926	\$ 2,022	\$ 524	\$ 145	\$ 438

Attachment: May 2020 Financial Stmtts (4105 : City's Financial Summary Report for May 2020.)

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

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
Revenues:						
Taxes	\$ 26,653	\$ 27,457	\$ 804	\$ 25,576	\$ 27,457	\$ 1,880
Licenses and permits	13,644	14,248	604	12,088	14,248	2,160
Intergovernmental	386	358	(28)	464	358	(105)
Charges for services	1,401	1,212	(189)	1,340	1,212	(128)
Fines and forfeits	297	198	(99)	289	198	(91)
Grants	4	4	-	-	4	4
Contributions	72	121	48	64	121	57
Investment income	448	430	(19)	300	430	130
Miscellaneous	245	304	59	230	304	74
Total revenues	43,151	44,332	1,181	40,351	44,332	3,981
Expenditures:						
General government	4,639	4,938	299	5,821	4,938	(883)
Public safety	11,143	11,328	185	12,518	11,328	(1,190)
Public works	3,498	3,694	197	4,405	3,694	(710)
Culture and recreation	3,983	3,786	(197)	5,010	3,786	(1,224)
Economic development	1,503	641	(862)	1,110	641	(469)
Health	238	243	5	266	243	(24)
Education	2,267	2,208	(59)	2,210	2,208	(2)
Welfare	80	80	(1)	93	80	(13)
Capital outlay	10,106	7,198	(2,908)	12,544	7,198	(5,345)
Debt service	497	-	(497)	465	-	(465)
Total expenditures	37,955	34,116	(3,839)	44,442	34,116	(10,326)
Other financing sources/(uses)						
Sale of capital assets	30	2	(28)	31	2	(28)
Transfers in	2,015	2,029	14	2,028	2,029	1
Transfer out	(6,676)	(7,588)	(912)	(7,834)	(7,588)	246
Total other financing sources/(uses)	(4,631)	(5,557)	(926)	(5,776)	(5,557)	218
Net change in fund balance	565	4,659	4,094	(9,866)	4,659	14,525
Fund balance, beginning of year	66,652	63,398	(3,254)	66,652	63,398	(3,254)
Fund balance, year to date	\$ 67,217	\$ 68,056	\$ 839	\$ 56,786	\$ 68,056	\$ 11,270
Less:						
Nonspendable	120	133	12	-	133	-
Restricted	201	221	21	-	221	-
Committed	25	35	10	-	35	-
Assigned	15,857	18,216	2,358	-	18,216	-
Encumbrances	17,097	10,064	(7,033)	-	10,064	-
	33,300	28,668	(4,632)	-	28,668	-
Unassigned fund balance	33,917	39,388	5,471	56,786	39,388	11,270
20% budgeted revenues	8,070	8,070		8,070	8,070	
Available unassigned fund balance	\$ 25,847	\$ 31,318		\$ 48,716	\$ 31,318	

Attachment: May 2020 Financial Stmtns (4105 : City's Financial Summary Report for May 2020.)

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

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
Taxes:						
Sales	\$ 21,637	\$ 22,142	\$ 505	\$ 21,800	\$ 22,142	\$ 342
Property:						
Property	3,924	4,270	346	2,733	4,270	1,536
Payments in lieu of taxes	6	18	13	4	18	15
Total property taxes	3,929	4,288	359	2,737	4,288	1,551
Other						
Gasoline	547	508	(39)	547	508	(39)
Cigarette	50	50	-	41	50	9
Wine and liquor	19	21	2	19	21	2
Rental	471	448	(23)	433	448	15
Total other taxes	1,086	1,027	(60)	1,039	1,027	(13)
Total taxes	26,653	27,457	804	25,576	27,457	1,880
Licenses and permits:						
Occupational license	9,081	9,476	395	8,400	9,476	1,076
Business:						
General	2,919	2,972	53	2,000	2,972	972
Lodging	617	525	(93)	617	525	(92)
Franchise fee	373	386	13	343	386	42
Miscellaneous	194	280	87	173	280	107
Total business	4,103	4,162	59	3,133	4,162	1,029
Telecommunications permits and fees	11	2	(9)	15	2	(13)
Permits and inspections	443	599	156	533	599	66
Other	7	9	2	7	9	1
Total licenses and permits	13,644	14,248	604	12,088	14,248	2,160
Intergovernmental:						
Shared county motor vehicle	94	79	(15)	91	79	(11)
Shared state:						
Bank excise tax	-	99	99	133	99	(34)
Business privilege tax	-	-	-	49	-	(49)
Liquor tax profits	94	102	9	97	102	6
State asset forfeiture	1	13	12	11	13	2
Total shared state	94	214	120	289	214	(76)
Shared federal asset forfeiture	136	10	(126)	-	10	10
Other	62	55	(7)	83	55	(29)
Total intergovernmental	386	358	(28)	464	358	(105)
Charges for services:						
General government - other	15	18	3	16	18	2
Public Safety:						
Fire training	3	4	1	3	4	2
City schools	150	150	-	100	150	50
Auburn University	2	4	3	-	4	4
EAMC	86	146	59	107	146	39
Other	6	2	(5)	-	2	1
Health - Graves and monuments	116	95	(21)	101	95	(6)
Public Works - Paving and plan review f	48	65	17	20	65	45
Culture and Rec - Entry and concession f	974	728	(246)	993	728	(265)
Total charges for services	1,401	1,212	(189)	1,340	1,212	(128)
Fines and forfeits:						
Municipal Court	264	176	(88)	261	176	(85)
Other	33	22	(11)	29	22	(6)
Total fines and forfeits	297	198	(99)	289	198	(91)
Grant income	4	4	-	-	4	4
Contributions: Mobile Clinic	26	61	35	-	61	61
Contributions: Other	46	59	13	64	59	(5)
Investment income	448	430	(19)	300	430	130
Miscellaneous	245	304	59	230	304	74
Total revenues	43,151	44,332	1,181	40,351	44,332	3,981
Other financing sources						
Operating transfers from Electric fund	2,000	2,000	-	2,000	2,000	-
Other transfers	15	29	14	28	29	1
Sale of capital assets	30	2	(28)	31	2	(28)
Total other financing sources	2,045	2,031	(14)	2,059	2,031	(28)
Total revenue and other financing	\$ 45,197	\$ 46,363	\$ 1,166	\$ 42,410	\$ 46,363	\$ 3,953

Attachment: May 2020 Financial Stmtns (4105 : City's Financial Summary Report for May 2020.)

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

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
General government:						
Legislative	\$ 235	\$ 260	\$ 25	\$ 322	\$ 260	\$ (63)
Executive	162	165	2	384	165	(219)
Legal	341	301	(39)	397	301	(95)
Administration	297	405	108	537	405	(132)
Accounting	364	370	6	407	370	(38)
Human resources	206	306	100	353	306	(47)
Information technology	1,593	1,659	66	1,613	1,659	46
Revenue	285	268	(17)	324	268	(56)
Municipal court	255	242	(13)	275	242	(33)
Purchasing	182	197	14	211	197	(15)
Community development	114	144	31	174	144	(30)
Planning	283	313	30	403	313	(90)
Other - nondepartmental	323	309	(14)	419	309	(110)
Total general government	4,639	4,938	299	5,821	4,938	(883)
Public safety:						
Police	6,779	7,037	258	7,788	7,037	(750)
Probation	97	73	(24)	107	73	(34)
Fire	4,086	4,007	(79)	4,343	4,007	(335)
Other - nondepartmental	181	210	29	280	210	(70)
Total public safety	11,143	11,328	185	12,518	11,328	(1,190)
Public works:						
Streets	888	914	27	979	914	(65)
Engineering	451	581	130	686	581	(105)
Administration	333	332	(1)	363	332	(30)
Cemetery	147	157	10	156	157	1
Auto shop	350	376	26	706	376	(330)
Building maintenance	358	384	26	435	384	(51)
Inspection	344	306	(39)	435	306	(130)
Grounds maintenance	626	644	18	644	644	-
Total public works	3,498	3,694	197	4,405	3,694	(710)
Culture and recreation:						
Parks and recreation	3,262	3,032	(230)	3,976	3,032	(944)
Library	638	635	(2)	811	635	(176)
Other - nondepartmental	84	119	35	223	119	(104)
Total culture and recreation	3,983	3,786	(197)	5,010	3,786	(1,224)
Economic development:						
Development	246	253	6	389	253	(136)
Other - nondepartmental	1,257	388	(869)	722	388	(333)
Total economic development	1,503	641	(862)	1,110	641	(469)
Health:						
Animal control	52	51	(1)	57	51	(5)
Mobile Clinic	-	-	-	-	-	-
Other	186	191	5	210	191	(18)
Total health	238	243	5	266	243	(24)
Education	2,267	2,208	(59)	2,210	2,208	(2)
Welfare	80	80	(1)	93	80	(13)
Capital outlay	10,106	7,198	(2,908)	12,544	7,198	(5,345)
Debt service						
Principal retirement	481	-	(481)	453	-	(453)
Interest and charges	16	-	(16)	12	-	(12)
Total debt service	497	-	(497)	465	-	(465)
Total expenditures	37,955	34,116	(3,839)	44,442	34,116	(10,326)
Other financing uses						
Transfers out:						
Transfers to PR/Jail construction fund	2,199	2,270	71	2,267	2,270	4
Transfers to other funds	4,477	5,318	841	5,568	5,318	(250)
Total transfers out	6,676	7,588	912	7,834	7,588	(246)
Total expenditures and other financing uses	\$ 44,631	\$ 41,704	\$ (2,927)	\$ 52,276	\$ 41,704	\$ (10,572)

Attachment: May 2020 Financial Stmtns (4105 : City's Financial Summary Report for May 2020.)

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

	FYTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Rev Budg	2020 Actual	Variance
GENERAL FUND						
General Government:						
Legislative	-	-	-	-	-	-
Executive	-	-	-	-	-	-
Legal	-	-	-	-	-	-
Administration	-	-	-	-	-	-
Accounting	-	21,470	21,470	611,270	21,470	589,800
Human Resources	-	-	-	-	-	-
Information Technology	518,650	674,411	155,761	869,150	674,411	194,739
Revenue	-	-	-	-	-	-
Municipal Court	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-
Community Development	-	-	-	-	-	-
Planning	-	-	-	-	-	-
Health	100,938	-	(100,938)	100,938	-	100,938
Other	-	-	-	-	-	-
Total general government	\$ 619,588	\$ 695,881	\$ 76,293	\$ 1,581,358	\$ 695,881	\$ 885,477
Public Safety:						
Police	7,518,782	2,320,385	(5,198,397)	3,754,755	2,320,385	1,434,370
Probation	-	-	-	-	-	-
Fire	17,125	405,914	388,789	1,025,795	405,914	619,881
Total public safety	\$ 7,535,907	\$ 2,726,299	\$ (4,809,608)	\$ 4,780,550	\$ 2,726,299	\$ 2,054,251
Public Works:						
Streets	943,704	1,509,016	565,312	4,881,530	1,509,016	3,372,514
Engineering	307,899	1,448,338	1,140,439	8,939,008	1,448,338	7,490,670
Administration	132,529	393,116	260,587	525,430	393,116	132,314
Cemetery	-	-	-	-	-	-
Auto Shop	-	-	-	-	-	-
Building Maintenance	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Grounds Maintenance	-	-	-	-	-	-
Total public works	\$ 1,384,132	\$ 3,350,470	\$ 1,966,338	\$ 14,345,968	\$ 3,350,470	\$ 10,995,498
Culture and Recreation:						
Parks and Recreation	501,428	301,786	(199,642)	2,127,475	301,786	1,825,689
Library	14,150	124,000	109,850	124,000	124,000	-
Total culture and recreation	\$ 515,578	\$ 425,786	\$ (89,792)	\$ 2,251,475	\$ 425,786	\$ 1,825,689
Economic development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Health, Education and Welfare	\$ 51,123	\$ -	\$ (51,123)	\$ -	\$ -	\$ -
Total capital outlay expenditures	\$ 10,106,328	\$ 7,198,436	\$ (2,907,892)	\$ 22,959,351	\$ 7,198,436	\$ 15,760,915
PROPRIETARY FUNDS						
Electric	1,139,031	1,408,015	268,984	7,680,547	1,408,015	6,272,532
Telecommunications	37,763	-	(37,763)	0	-	-
Sewer	4,166,967	227,351	(3,939,616)	2,220,451	227,351	1,993,100
Solid Waste	421,139	394,018	(27,121)	475,000	394,018	80,982
Total Proprietary funds	\$ 5,764,900	\$ 2,029,384	\$ (3,735,516)	\$ 10,375,998	\$ 2,029,384	\$ 8,346,614
OTHER GOVERNMENTAL FUNDS						
Municipal Complexes fund - Municipal Court	-	9,574	9,574	47,000	9,574	37,426
4 & 5 Cent Gas Tax fund - Street Resurfacing	-	-	-	66,000	-	66,000
2011 Road Construction - Streets	528,559	-	(528,559)	-	-	-
2011 Road Construction - Street paving	-	-	-	-	-	-
2011 Road Construction - Other	59,572	-	(59,572)	-	-	-
Capital Improvement funds - Other	9,461	260,675	251,214	93,358	-	93,358
Industrial Road Grant funds - Other	6,538	180,628	174,090	219,460	180,628	38,832
Industrial Access Road Grant funds - Engineering	1,152,259	25,195	(1,127,064)	19,240	25,195	(5,955)
Total Other Governmental funds	\$ 1,756,389	\$ 476,072	\$ (1,280,317)	\$ 445,058	\$ 215,397	\$ 229,661
Total	\$ 17,627,617	\$ 9,703,892	\$ (7,923,725)	\$ 33,780,407	\$ 9,443,217	\$ 24,337,190

Attachment: May 2020 Financial Stmtts (4105 : City's Financial Summary Report for May 2020.)

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 06/16/20 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: Tina Mnor
Initiator: Jeff Kappelman
Sponsors:

MAYOR'S REMARKS (ID # 4077)

DOC ID: 4077

May 2020 Monthly Building Report.

COMMENTS - Current Meeting:

Mayor Fuller asked Mr. Motley to give the monthly building report for May 2020. Mr. Motley then gave the report.



BUILDING INSPECTIONS

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

Monthly Permits For May, 2020

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	2	10
Plumbing Upgrades	0	0
Electrical Upgrades	0	5
Mechanical Upgrades	0	3
Reroofs And Roof Repairs	0	1
Mobile Home Services	0	0
Building Additions/Accessory Structures	0	6

Monthly Totals For May 2010-2019

2010	\$3,217,825.00
2011	\$2,759,798.00
2012	\$16,046,121.00
2013	\$4,745,960.00
2014	\$13,413,519.00
2015	\$5,351,562.00
2016	\$5,538,628.00
2017	\$29,752,101.00
2018	\$9,824,483.97
2019	\$ 5,065,469.10

Total Permits Issued:

1	New Buildings: Commercial	\$782,000.00
3	Commercial Renovations And Repairs	\$514,963.00
3	Signs	\$3,945.00
23	New Single Family Homes	\$6,016,823.30
19	Residential Repairs And Renovations	\$365,219.00
5	New Apartment Units	\$774,989.00
	New Duplex Residences	
	Total Building Permits Issued	

54

Total Permits Issued For May, 2019

\$8,457,939.30

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman
Jeff Kappelman
Chief Building Inspector





BUILDING INSPECTIONS

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

Fiscal Year To Date Report - 2020

Building Repairs	Commercial	Residential
Buildings Condemned	0	2
Buildings Demolished	1	2
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:

6	New Buildings: Commercial	\$13,594,057.00
44	Commercial Renovations And Repairs	\$10,607,682.00
19	Signs	\$80,041.00
229	New Single Family Homes	\$59,462,214.09
96	Residential Repairs And Renovations	\$2,734,026.20
5	New Apartment Units	\$774,989.00
0	New Duplex Residences	\$0.00
66	Total Building Permits Issued	\$10,149,659.70

465

Permit Total Issued for FY 2020

\$87,253,009.29

JEFF KAPPELMAN
Chief Building Inspector



City of Opelika Building Inspections Department

May 2020 Monthly Building Permit Detail Report

Issue Date	Main Address	Company	Work Class	Valuation
5/4/2020	2704 HEATHER PL	BUILDERS PROFESSIONAL GRP LLC	New Single Family Detached	\$ 266,900.70
5/4/2020	2955 WAVERLY PKWY	WOODY CONSTRUCTION	Addition	\$ 8,000.00
5/4/2020	728 MCDONALD DR	TRADEMARK QUALITY HOMES INC	New Single Family Detached	\$ 301,570.00
5/5/2020	1403 SAUGAHATCHEE LAKE	Shacolby Bailey	Porches	\$ 800.00
5/5/2020	1841 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	\$ 389,991.00
5/5/2020	2904 EDMONT ST	BNB & ASSOCIATES LLC	New Single Family Detached	\$ 154,862.00
5/5/2020	720 MCDONALD DR	TRADEMARK QUALITY HOMES INC	New Single Family Detached	\$ 256,630.00
5/5/2020	2502 LOWE ST	Sean Burnley	Accessory Buildings	\$ 7,000.00
5/5/2020	724 MCDONALD DR	TRADEMARK QUALITY HOMES INC	New Single Family Detached	\$ 269,967.00
5/7/2020	3220 OLD OPELIKA RD	WHATLEY BROTHERS LLC	Alteration	\$ 21,500.00
5/8/2020	685 FOX TRL	MARSHALL DESIGN BUILD LLC	Addition	\$ 445,054.00
5/12/2020	503 M L KING BLVD A	Greenlight Signs	Signs	\$ 645.00
5/13/2020	2734 SPRING LAKES XING	FOUR SEASONS OF COLUMBUS	Alteration	\$ 10,694.00
5/13/2020	4400 NORTHPARK DR	MCCOY FIRE & SAFETY INC	Fire Alarm	\$ 24,000.00
5/13/2020	2750 ENTERPRISE DR	EFFECTIVE SIGNS LLC	Signs	\$ 1,800.00
5/18/2020	1623 5TH AVE	J HOLLOWAY CONST LLC	Addition	\$ 27,500.00
5/18/2020	912 GENEVA ST	DOUG HORN ROOFING	Addition	\$ 20,000.00
5/19/2020	3008 FREDERICK RD A	WB CONSTRUCTION	New	\$ 782,000.00
5/19/2020	639 OWENS WAY	STONE MARTIN BUILDERS	New Single Family Detached	\$ 258,675.00
5/19/2020	2505 STONYBROOK RD	UNITED LIBERTY HOMES LLC	New Single Family Detached	\$ 466,238.00
5/19/2020	1401 CRAWFORD RD	Deldra Collier	Accessory Buildings	\$ 4,000.00
5/19/2020	707 GENEVA ST	Carlton Clifton	Accessory Buildings	\$ 2,400.00
5/19/2020	795 TOWNE LAKE PKWY	Roberto Mejia	Alteration	\$ 21,000.00
5/19/2020	300 CUSSETA RD	STONE MARTIN BUILDERS	Accessory Buildings	\$ 75,000.00
5/19/2020	1505 HARPER PL	Ricky Jackson	Alteration	\$ 2,200.00
5/19/2020	1000 4TH AVE 1	DIXIE ROOFING INC	Roofs	\$ 4,500.00
5/20/2020	301 S 8TH ST	WW COMPTON CONTRACTOR LLC	Alteration	\$ 45,909.00
5/20/2020	1707 2ND AVE	Owner	Alteration	\$ 8,675.00

Packet Pg. 35


Jeff Kappelman



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

GENERAL BUSINESS (ID # 4099)

Meeting: 06/16/20 07:00 PM
Department: City Clerk
Category: Request / Temp Street Closure
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4099

Request for HBO documentary filming on 6-16-2020.

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



REQUEST TEMPORARY STREET CLOSURE

DATE this request made: 6-9-2020

NAME OF INDIVIDUAL: Barbara Arrington

ADDRESS: 204 S. 7th Street

Opelika ZIP 36801

PHONE # (334) 705-5150

EMAIL Address barrington@opelika-al.gov

NAME OF ORGANIZATION: City of Opelika

ADDRESS: 204 S. 7th Street

Opelika ZIP 36801

PHONE # (334) 705-5150

REASON FOR REQUEST: HBO Documentary

Information needed:

1. Date of event. – Tuesday, June 16, 2020
2. Start and end time. – 4:00 pm thru 7:00 pm
3. Est. number of participants. – n/a
4. Map of route or detailed route description with start/end points. – n/a
5. Specific location on route of street barricades if needed. – N. 9th Street between 4th and 5th Ave.
6. If barricades are needed, you must provide volunteers to man all barricades during the entire event.
7. If needed, please provide a list of where you will place signs in the city's right-of-way. This will be approved as part of your overall plan. Signs will need to be put out day of event and taken up immediately following end of event.

Note: If event is to be held in downtown Opelika, your request must first be approved by Opelika Main Street and then the Mayor & City Council.

SIGNED:

NAME (printed):

Barbara Arrington
BARBARA ARRINGTON

Email completed form & information to:

Russell A. Jones
 City Clerk - Treasurer
rjones@opelika-al.gov
 334-705-5110

Contacts:

For barricades, call Mike Hilyer at ESG/Public Works: 705-5413

For additional garbage cans or recycling cans, call Terry White at Environmental Services: 705-5480

Attachment: HBO documentary Request for Temp Street Closure (4099 : Request for HBO documentary filming on 6-16-2020.)



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

GENERAL BUSINESS (ID # 4108)

Meeting: 06/16/20 07:00 PM
Department: City Clerk
Category: Request / Temp Street Closure
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4108

Request for Downtown Juneteenth Peaceful March for Social Justice on 6-19-20.

COMMENTS - Current Meeting:

Ms. Pitts asked a question about if she is involved in the event, should she abstain her vote. President Smith answered by saying no. Mr. Gunter said that only if she has a financial interest she would need to abstain.

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



REQUEST TEMPORARY STREET CLOSURE

DATE this request made: June 12, 2020

NAME OF INDIVIDUAL: Janataka Holmes
 ADDRESS: 1012 Covenant Drive
Opelika, AL 36801

PHONE #: (334) 559-5183
 EMAIL Address: Janatakah@gmail.com

NAME OF ORGANIZATION: Janataka Holmes
 ADDRESS: 1012 Covenant Drive
Opelika, AL 36801

PHONE #: (334) 559-5183

REASON FOR REQUEST: Juneteenth Peaceful March for Social Justice

Information needed:

1. Date of event. Friday, June 19, 2020
2. Start and end time. 5:30pm – 8:00pm
3. Est. number of participants. 200
4. Map of route or detailed route description with start/end points. Map attached.
5. Specific location on route of street barricades if needed. Attached on Map
6. If barricades are needed, you must provide volunteers to man all barricades during the entire event.
7. If needed, please provide a list of where you will place signs in the city's right-of-way. This will be approved as part of your overall plan. Signs will need to be put out day of event and taken up immediately following end of event.

Note: If event is to be held in downtown Opelika, your request must first be approved by Opelika Main Street and then the Mayor & City Council.

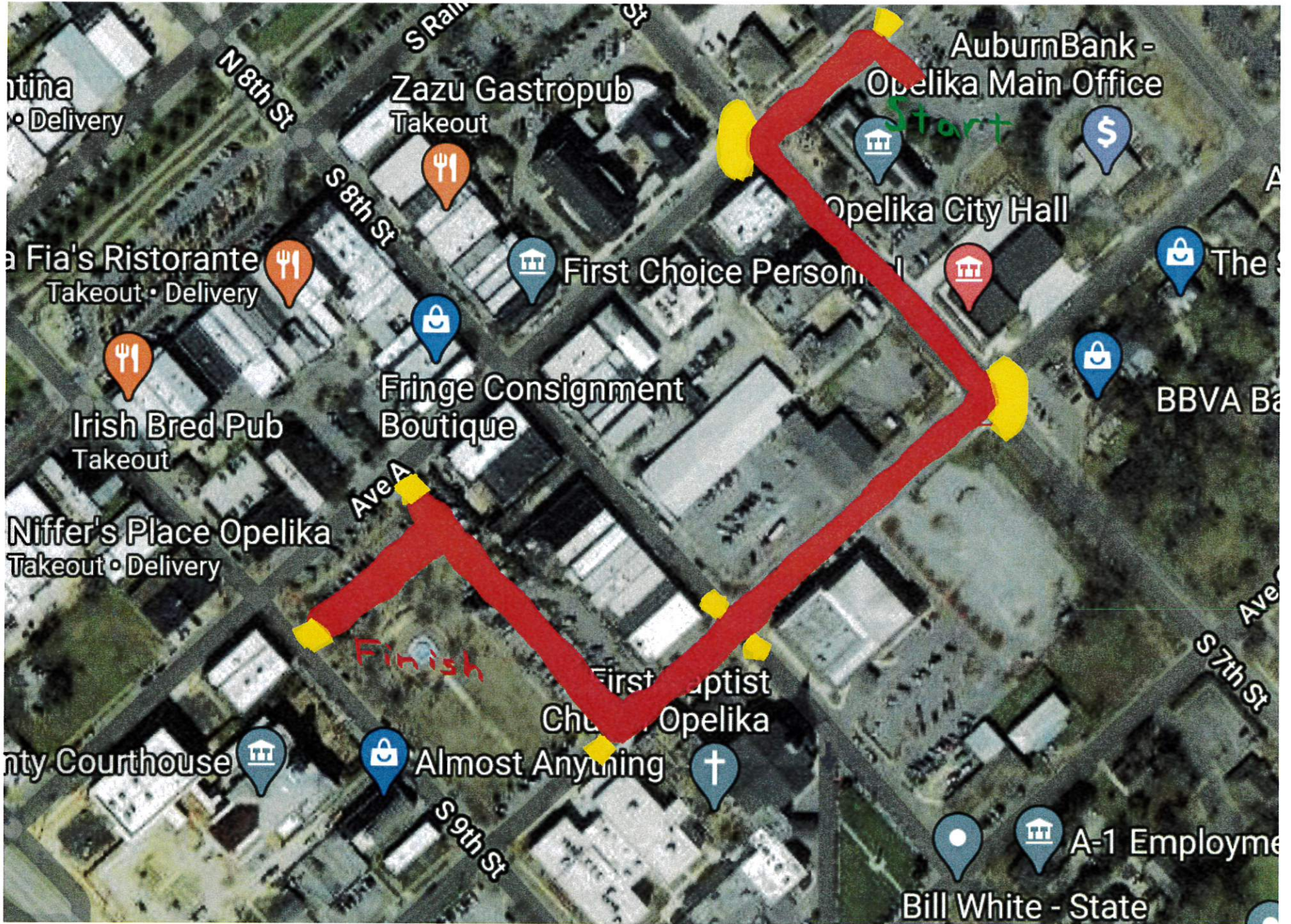
SIGNED: JHolmes
 NAME (printed): Janataka Holmes

Email completed form & information to: Russell A. Jones
 City Clerk - Treasurer
rjones@opelika-al.gov
 334-705-5110

Contacts:

For barricades, call Mike Hilyer at ESG/Public Works: 705-5413

For additional garbage cans or recycling cans, call Terry White at Environmental Services: 705-5480



**City Council**

204 South 7Th Street
Opelika, AL

ADOPTED**GENERAL BUSINESS (ID # 4088)**

Meeting: 06/16/20 07:00 PM

Department: City Clerk

Category: Request / Temp Street Closure

Prepared By: Russell Jones

Initiator: Russell Jones

Sponsors:

DOC ID: 4088

Request from Opelika Rotary Club for Burger Wars on 8-22-2020.

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



REQUEST TEMPORARY STREET CLOSURE

DATE this request made: May 28, 2020

NAME OF INDIVIDUAL: John Sweatman
 ADDRESS: 1311 Live Oak Circle
 Opelika, AL. 36801

PHONE #: 334-444-4673
 EMAIL Address: johnsweatman@myops.net

NAME OF ORGANIZATION: Opelika Rotary Club
 ADDRESS: _____

 _____ ZIP _____

PHONE #: 334-444-4673

REASON FOR REQUEST: Grilling/Cooking event along N. Railroad and
 N. 8th where street closure is necessary due to
 public safety concerns

Information needed:

1. Date of event. Saturday, August 22, 2020
2. Start and end time. 7am to 4pm
3. Est. number of participants. 40 grillers and attendance of 500-750 estimated
4. Map of route or detailed route description with start/end points. Attached
5. Specific location on route of street barricades if needed. Attached
6. If barricades are needed, you must provide volunteers to man all barricades during the entire event.
7. If needed, please provide a list of where you will place signs in the city's right-of-way. This will be approved as part of your overall plan. Signs will need to be put out day of event and taken up immediately following end of event.

Note: If event is to be held in downtown Opelika, your request must first be approved by Opelika Main Street and then the Mayor & City Council.

SIGNED: *John Sweatman*

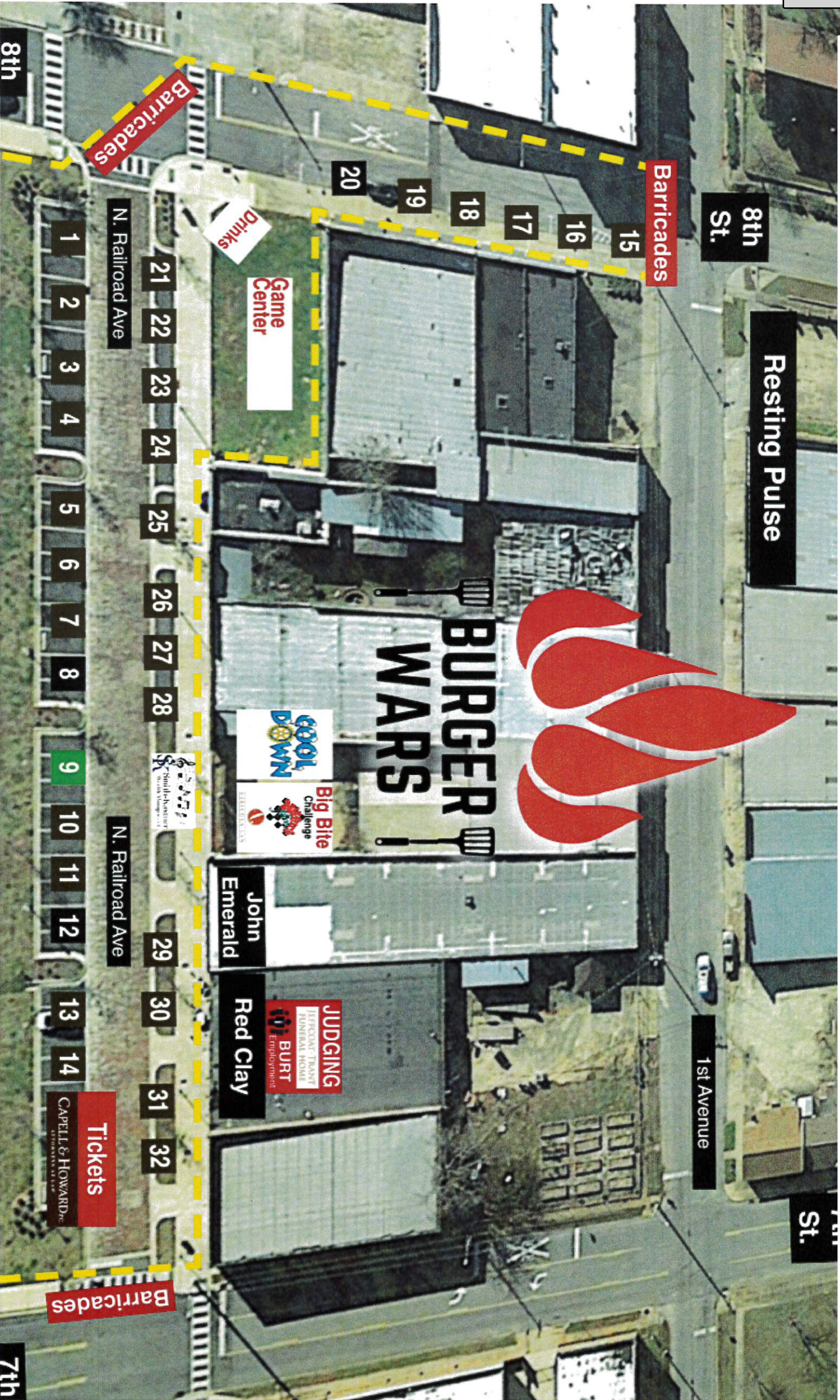
NAME (printed): John Sweatman

Email completed form & information to: Russell A. Jones
 City Clerk - Treasurer
rjones@opelika-al.gov
 334-705-5110

Contacts:

For barricades, call Mike Hilyer at ESG/Public Works: 705-5413

For additional garbage cans or recycling cans, call Terry White at Environmental Services:
 705-5480



Attachment: Burger Wars Map 8-22-20 (4088 : Request from Opelika Rotary Club for Burger Wars on 8-22-2020.)



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley
Sponsors:

GENERAL BUSINESS (ID # 4097)

DOC ID: 4097

Request Alcohol License by Jam Food Co. Inc. DBA Full Moon Bar B Que, Retail Wine and Beer On Premise.

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

**City Council**

204 South 7Th Street
Opelika, AL

ADOPTED**GENERAL BUSINESS (ID # 4098)**

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Business & Alcohol License
Prepared By: Martha Wright

Initiator: Lillie Finley

Sponsors:

DOC ID: 4098

Request Alcohol License by PK 9 Management LLC DBA Exxon 101, Retail Wine and Beer off Premise.

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



City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 4051)

Meeting: 06/16/20 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 4051

Public Hearing - Amend Towne Lake PUD Master Plan.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, June 16, 2020, at 7:00 p.m. in the Courtroom of the Opelika Municipal Court Building, 300 Martin Luther King Boulevard, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend the Development Plan for Towne Lakes Subdivision PUD. The Development Plan for Towne Lake Subdivision PUD was approved by the City Council as required by Section 8.18(n) of the Zoning Ordinance of the City. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR TOWNE LAKE SUBDIVISION PUD (PHASE 5)

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

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

(a) W.S. Newell & Sons, Inc., heretofore submitted to the City a Development Plan for a planned unit development ("PUD") entitled "Towne Lake Subdivision PUD" consisting of approximately 170.658 acres.

(b) Pursuant to Ordinance No. 100-00, the City Council approved said Development Plan for Towne Lake Subdivision PUD and amended the Official

Zoning Map of the City to designate the zoning classification of Planned Unit Development (“PUD”) for approximately 170.658 acres located north of U.S. Highway No. 280 & 431 (Columbus Parkway), west of North Uniroyal Road and east of Interstate Highway No. 85.

(c) W.S. Newell & Sons, the owner of all of the property located within Phase 5 of Towne Lake Subdivision PUD, has heretofore submitted to the City a proposed amended Development Plan for Phase 5.

(e) Phase 5 of Towne Lake Subdivision PUD consists of approximately 59 acres and is located at the terminus of Bush Creek Road. The current development plan for Phase 5 as approved by the City Council consists of 17 commercial lots.

(f) The amended Development Plan for Phase 5 of Town Lake Subdivision PUD provides for 97 single-family residential lots and two commercial lots with access to Columbus Parkway. The minimum residential lot size will be 8,400 square feet. Phase 5 is located adjacent to existing single-family homes within Towne Lake Subdivision PUD of similar size and finished quality.

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

(h) The Planning Commission recommended approval of the amended Development Plan for Phase 5 of Towne Lake Subdivision PUD.

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

Section 2. Approval of Amended Development Plan. The amended Development Plan for Phase 5 of Towne Lake Subdivision PUD as submitted for review is hereby approved and confirmed as required by Section 8.18(n) of the Zoning Ordinance of the City.

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

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

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

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

WITNESS my hand this the ____ day of _____, 2020.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

END

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

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

WITNESS my hand this the ____ day of _____, 2020.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the May ____, 2020, issue of your paper.

CITY CLERK

The applicant is requesting master plan amendment to replace 17 commercial lots near Columbus Parkway with 97 residential lots that connect to existing residential and two commercial lots; the commercial lots have access to Columbus Parkway. The amendment increases the residential units to just over 2 units per acre. The proposed single family lots are slightly smaller with 60 to 80 foot wide lots. Underground utilities are required, and sidewalks required on at least one side of streets. PC report with maps are attached. At the April 28th meeting, the Planning Commission sent a positive recommendation to City Council to approve amendments to the master plan. At the May 5th CC WS, the City Council reviewed the amendments to the master plan and approved advertising for a CC PH.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said amendment. No one came forward to speak. President Smith closed the public hearing.

City of Opelika Planning Commission Report

Action Requested:	Revision to Towne Lake PUD Master Plan
Location of Property:	Towne Lake Parkway
Property Owner(s):	W.S. Newell & Sons, Inc. Blake Rice, PE, authorized representative
Current Land Use:	Undeveloped
Current Zoning:	PUD (Planned Unit Development)

Staff Comments:

At the January 4, 2000 meeting, the City Council approved the rezoning of the Towne Lakes PUD development. The 170-acre master plan consisted of single-family homes, patio homes, apartments and commercial development near Columbus Parkway. The applicant is proposing to amend this plan again to remove a large portion of the office and commercial areas and replace them with single family residential. The previously approved master plan showed 17 commercial lots that connected the existing residential to Columbus Parkway. The revised plan replaces this with 97 residential lots connecting to the existing residential and two commercial lots with access to Columbus Parkway. The connection in between has been removed. Therefore, the applicant is requesting an amendment to the 2017 Towne Lake Master plan. This would increase the number of units from the previously approved 2017 plan but would reduce the overall unit count from the original plan by 29 units and drastically reduce the amount of commercial property. The density for this section would be just over 2 units per acre.

The proposed single-family residential would be slightly smaller but still comparable to those approved in the last phase of this development with 60-80-foot-wide lots. The lots sizes would be at minimum 8,400 square feet. The lots would have the following setbacks:

- Front: 25 feet
- Rear: 25 feet
- Side: 7feet

Utilities would be similar to the existing phases and sidewalks would be required one side of the street. Lots 48-65 seem to be very long lots with deep back yards. Staff recommends these yards be reduced in dept similar to the other lots with the remainder of the property (primarily flood plain) added to the adjoining open space.

Staff recommendation

Staff recommends a positive recommendation be sent to City Council to approve the amendments to the 2017 Towne Lake master plan by replacing the commercial sections with single family homes subject to the following:

1. Additional emergency or full access points be studied to determine if additional points can be created.
2. The deep lots along the spine road be reduced to remove most or all of the flood plain areas from the lot and placed into open space.

Engineering Department Report - The Engineering Department has a concern regarding the limited emergency access points out of the proposed residential development. The applicant will need to provide an alternative access point to either North Uniroyal Road or Columbus Parkway with the subsequent preliminary plat that will be required. **With this consideration, the Engineering Department recommends a positive recommendation of masterplan amendment to City Council.**

At the April 28th meeting, the Planning Commission voted to send a positive recommendation to the City Council to approve amendments to the Towne Lake Master Plan as described in this report. This recommendation includes the Commissioner's approval of Staff Recommendations provided in the report.

Towne Lakes, Phase 5

Proposed Amendment to PUD

W. S. Newell & Sons, Inc., the Applicant, respectfully requests that the Opelika Planning Commission amend the original 1999-2000 PUD master plan for Towne Lakes Subdivision, within the City of Opelika. The original PUD has been amended on occasion to meet the needs of the housing market and adjust for appropriate land uses. At every stage in amending the original Towne Lakes Subdivision, densities of units have decreased, thus providing a net benefit to the current residential makeup of the subdivision. The proposed amendment herein will also result in a net decrease in density as originally proposed in the PUD master plan.

Location

The Proposed Development is located within the City of Opelika, within the boundaries of Towne Lakes Subdivision. Access will be provided by extending Bush Creek Road, a City of Opelika-owned and maintained, public street.

Concept

The Applicant is proposing to construct a ninety-nine (99) lot addition to Towne Lakes Subdivision from the current end of Bush Creek Road. Typical lot frontage along streets are proposed to be in the range of 60' to 80' in width, with typical lots depths of 140' to 300'. The lots proposed are to be developed for one to two-story, single-family homes. All infrastructure will meet City of Opelika standards and at completion of construction, all infrastructure and public utilities will be turned over to the proper authorities for continued maintenance, following acceptance and conclusion of warranty periods.

Site Details

The proposed site of the project is located at the current terminus of Bush Creek Road. In the original Master Plan for the Towne Lakes Subdivision PUD, the acreage represented in the proposed Phase 5 was planned to be developed as commercial parcels and approved as such by the City of Opelika in the PUD rezoning. Given the demand for single-family residential development and the lack of demand for commercial uses in this area, the proposed adjustment in the PUD Master Plan is warranted and beneficial to the City of Opelika. The Proposed Development (Towne Lakes, Phase 5) is proposed to be located on 59.5 acres. The subject property is adjacent to current, owner-occupied, single-family homes, within Towne Lakes S/D, of comparable size to the proposed plan for new home construction. To the south, the Proposed Development is bordered by commercial properties along Highway 280. The western border runs along I-85 and to the east of the Development are largely undeveloped properties and a

mobile home park. As such, there are no apparent conflicts with the proposed single-family residential use.

The proposed site plan shows two proposed on-site storm water detention lots. Homes are to be constructed on the remaining 95 platted and developed residential lots. The two proposed commercial lots will be accessed via Highway 280 through an existing ROW.

Setbacks

Setbacks for homes built on lots in the subject development are proposed to be a minimum of 7' from each side line, 25' from the front property line and 25' from the rear property line.

Utilities

The Proposed Development will be served by City of Opelika sewer and water services. Power and communications will be provided by Opelika Power Services. Natural gas, if used, will be provided by Spire.

Net Impact of Proposal on Existing PUD

The original and approved Towne Lakes PUD proposed a total of 256 units in the subject acreage (now identified as Phases 4 and 5), consisting of Apartments, Patio Homes, and Commercial lots. Table 1 below, represents the proposed uses and densities as compared to the original PUD Master Plan.

Due to changing market demands, the approved Master Plan PUD has been modified to adjust densities, housing types and uses. The Towne Lakes, Phase 5 proposal results in a net reduction of total units designed and developed. Note that on the following Table 1, the overall density of units in the entire development is proposed to be reduced by a total of 29 units (256 in the original plan vs. 227 proposed).

Table 1. Amended PUD Densities and Proposed Uses

Parcel (Original)	Area (acres)	Total Units Proposed	Density	Designation
Commercial	61.8	16	.26	Commercial
Patio Homes	30.7	50	1.63	Patio Homes
Apartments	19.1	190	9.95	Apartments
Total Approved	111.6	256	2.29	
Proposed	109.3	227	2.08	Single-Family
Net Reduction		29	.21	

By shifting available units authorized by the original Master Plan from Apartment units, Patio Homes and Commercial properties to Single-Family residences, the development will experience a net reduction of 29 individual units and lower the approved density by a factor of .21.

Likewise, the reduction in density will reduce traffic, which would yield a net benefit to the existing residents of Towne Lakes Subdivision. With the proposed net reduction in density, the City of Opelika will benefit from less wear and tear on streets and less impact on City services and infrastructure, i. e., water, sewer.

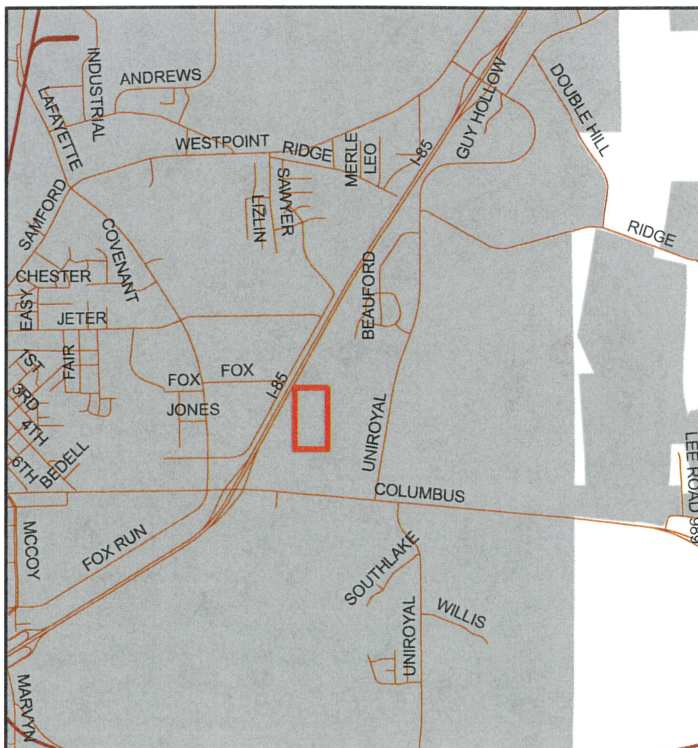
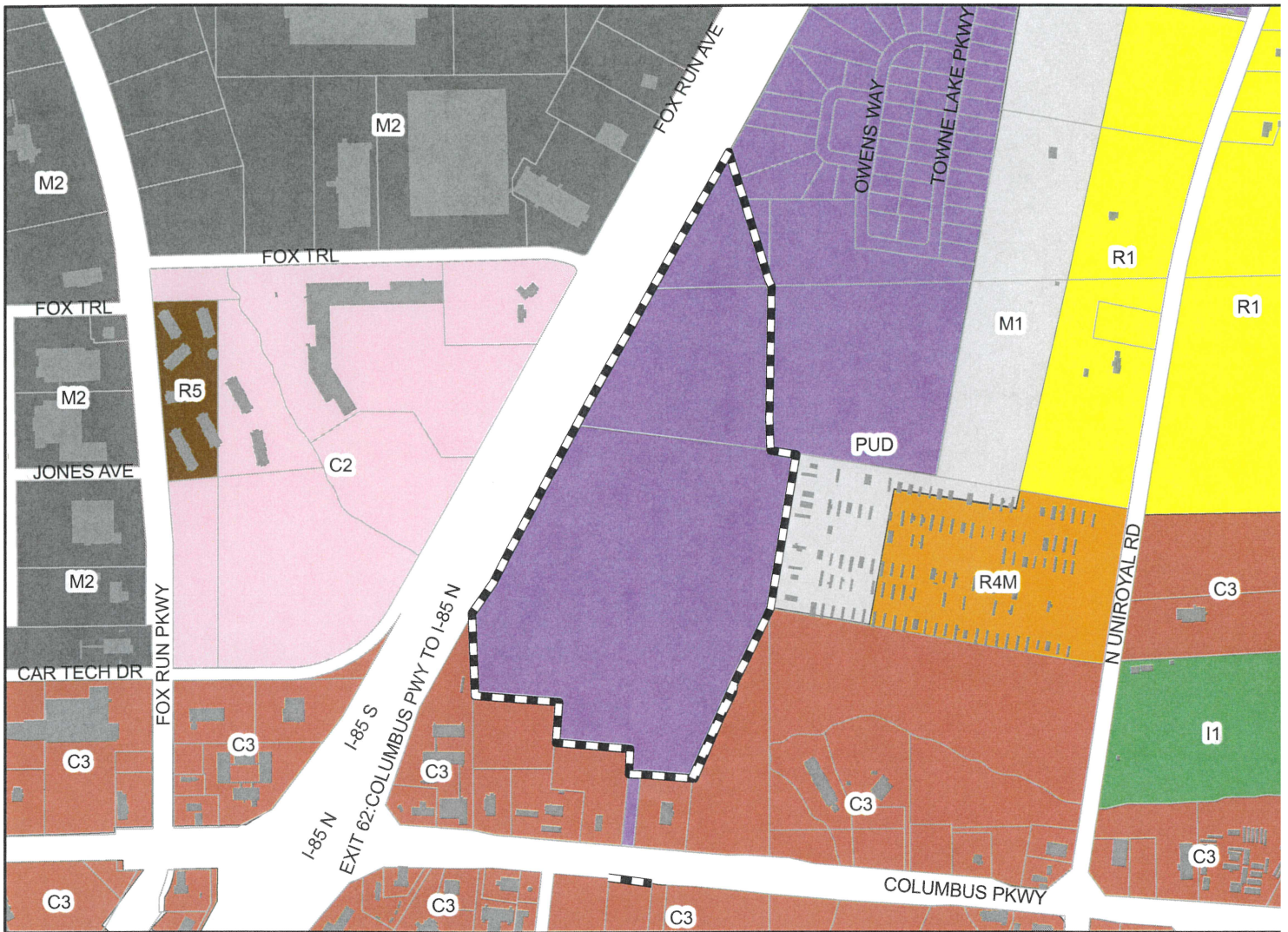
The existing Home Owners contiguous to the Proposed Development will benefit from being joined by like uses, in that all units will be of similar construction and primarily owner-occupied, single-family residences.

Accompanying Exhibits

Attached are several exhibits supporting the application for Amendment to the existing PUD for Towne Lakes Subdivision. The supporting exhibits include the following:

- Conceptual Layout-Zoning Exhibit
- Application for Rezoning
- Authorization to Act as Applicant
- Deed to Subject Property
- Adjoining Property Owners Listing

**TOWNE LAKE MASTER PLAN AMENDMENTS
TOWNE LAKE PARKWAY
MAJOR AMENDMENT TO MASTER PLAN**

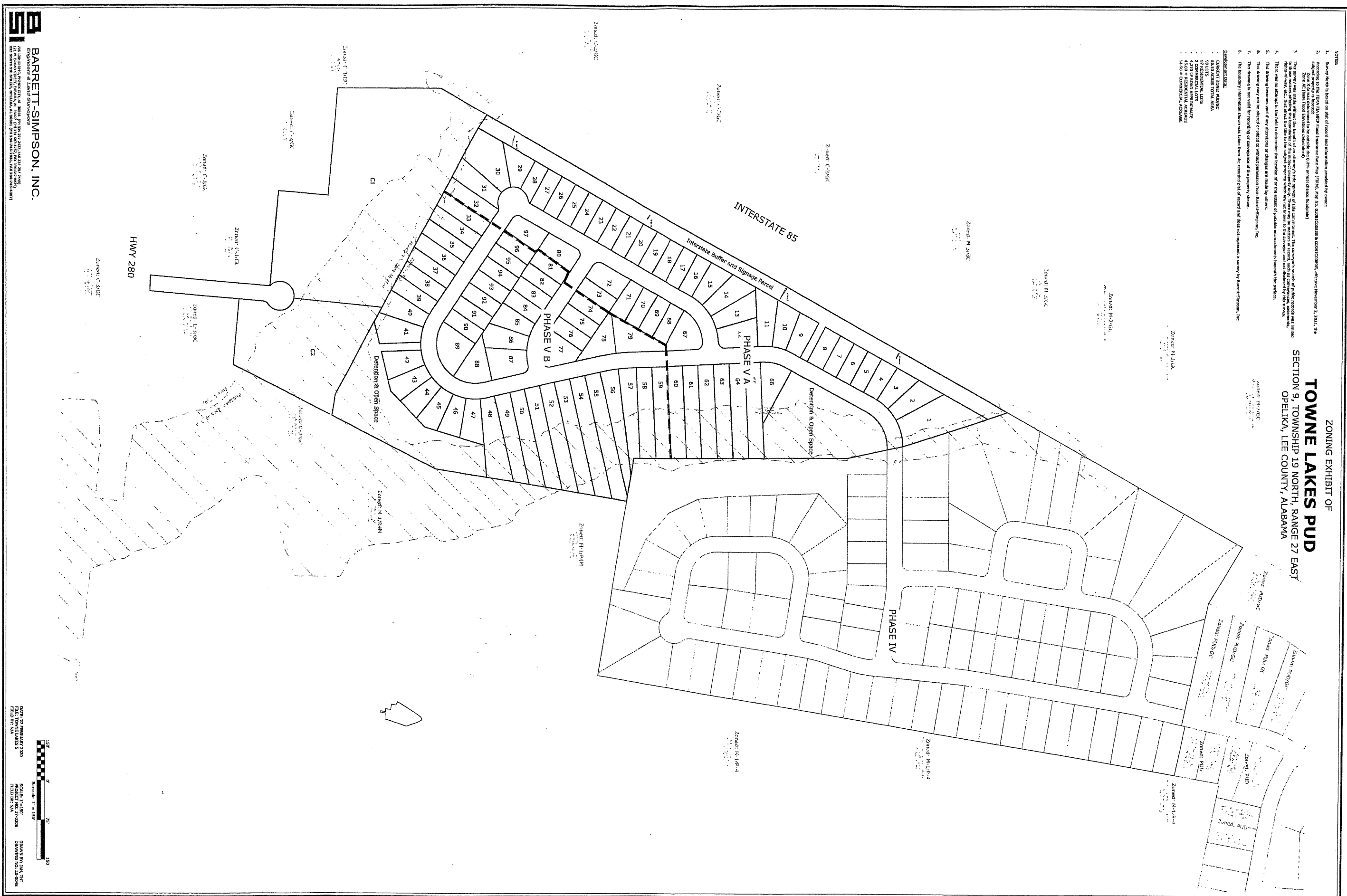


The applicant is requesting revisions to the Tow Lake Master Plan from commercial/office uses to 99 single family home lots and commercial on 1 acres.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used for any other purpose.





City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 4053)

Meeting: 06/16/20 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 4053

Public Hearing - Amend Cannon Gate Master Plan.

NOTICE OF PUBLIC HEARING (CANNON GATE PUD)

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, June 16, 2020, at 7:00 p.m. in the Courtroom of the Opelika Municipal Court Building, 300 Martin Luther King Boulevard, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend the Development Plan for Cannon Gate PUD. The Development Plan for Cannon Gate PUD was approved by the City Council as required by Section 8.18(n) of the Zoning Ordinance of the City. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR CANNON GATE PUD (PHASE III)

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

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

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

(b) Pursuant to Ordinance No. 101-07, the City Council approved said

Development Plan for Cannon Gate PUD and amended the Official Zoning Map of the City to designate the zoning classification of Planned Unit Development (“PUD”) for approximately 163.77 acres located on the west side of Oakbowery Road and north of Blackhawk Drive.

(c) Cannon Timber & Land, LLC, the owner of all of the property located within Phase III of Cannon Gate PUD, has heretofore submitted to the City a proposed Amended Development Plan for Phase III.

(d) Phase III of Cannon Gate PUD consists of approximately 64 acres and is located at the terminus of Live Oak Circle. The current Development Plan as approved by the City Council provides for the construction of approximately 67 single-family homes in Phase III.

(e) The Amended Development Plan for Phase III provides for 81 single-family residential lots and approximately 24.4 acres of open space. Lots will range in size from 10,358 square feet to 36,272 square feet. The overall density for the Development is 1.25 units per acre. An amenity area will include a playground and pool. The residential units in Phase III will be of similar size and construction as those located in Phases I and II.

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

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

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

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

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

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

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

END

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

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

WITNESS my hand this the ____ day of _____, 2019.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Opelika, Alabama 36801

Please publish the foregoing Notice one (1) time in the December ____, 2019, issue of

your paper.

CITY CLERK

The applicant is requesting master plan amendments to increase the residential lots for Phase 3 from 67 units to 81 units and increase the overall residential unit count from 142 units originally approved to 178 units. This increases the overall density from 0.92 units per acre to 1.25 units per acre. Phase 3 of Cannon Gate was originally approved for 67 large 125-foot-wide lots with a minimum home size of 2,600 square feet. The amendment proposes lot sizes will range from 14,000 to 17,000 square feet. The overall density for this phase and the development in general remain around 1.25 units per acre which is below the 2.5 units per acre allowed in most of the adjacent R-2 zoning. At the April 28th meeting, the Planning Commission sent a positive recommendation to City Council to approve amendments to the master plan. At the May 5th CC WS, the City Council reviewed the amendments to master plan and approved advertising for a CC PH.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said amendment. No one came forward to speak. President Smith closed the public hearing.

City of Opelika Planning Commission Report

Action Requested:	Amend Cannon Gate PUD Master Plan – Phase 3								
Property Location:	Current terminus of Cannon Gate Drive								
Property Owners:	Cannon Timber & Land, LLC., property owner Blake Rice, Barrett-Simpson, Inc.,								
Existing Zone	PUD (Planned Unit Development)								
Existing Land Use	Undeveloped								
Adjacent Land Use	<table> <tr> <td>North</td><td>Single family homes</td></tr> <tr> <td>South</td><td>Single-family homes and vacant lots</td></tr> <tr> <td>East</td><td>Single-family homes</td></tr> <tr> <td>West</td><td>Vacant land</td></tr> </table>	North	Single family homes	South	Single-family homes and vacant lots	East	Single-family homes	West	Vacant land
North	Single family homes								
South	Single-family homes and vacant lots								
East	Single-family homes								
West	Vacant land								
Proposed Use:	Eighty-one detached single-family homes								

In 2006 the Planning Commission recommended to City Council to approve the rezoning of 154 acres accessed from Oak Bowery Road from R-2 to PUD. The City Council approved the rezoning in 2007. Phase 2 of the subdivision has homes under construction. In April 2017, the property owner asked to amend the master development plan to remove the remaining cluster development homes and rearrange the housing in Phase 2. The applicant is now asking to again revise the master development plan and PUD to increase the unit count for Phase 3 from 67 units to 81 units and increase the overall unit count from 142 units originally approved to 178 units. This increases the overall density from 0.92 units per acre to 1.25 units per acre.

Phase 3 of Cannon Gate was originally approved for 67 large 125-foot-wide lots. The buildings were expected to be the largest homes sitting on the largest lots of the subdivision. The lots were generally described as 30,000 square feet with 25-foot front setbacks, 20-foot side setbacks and 30-foot rear setbacks. The homes were required to be 2,600 square feet or greater. The applicant is now proposing a product similar to Phases 1 and 2 of Cannon Gate. These lots would range in size from 10,358 square feet to 36,272 square feet with most lots averaging between 14,000 -17,000 square feet. The proposed setbacks for this section would be 25-foot front and rear setbacks and 7-foot side setbacks.

There is also 24.41 acres of open space. This is spread around four lots. Much of this flood plain is currently in the flood zone. This flood plain may eventually be a route for the Opelika Creekline greenway project. This would emulate the walking trails originally proposed within the Cannon Gate Subdivision that were never installed.

With the proposed increase in units, the City Engineer feels that an additional access to the north and eventually Veterans Boulevard could be beneficial at a later date when that the large vacant properties to this

develop. Staff believes an additional stub street should be provide along Cannon Gate Drive near the intersection of the north/south street.

While the changes to the master development plan do increase the lot size, they are consistent with the previously developed phases. The overall density for this phase and the development in general still remain around 1.25 units per acre which is below the 2.5 units per acre allowed in most of the adjacent R-2 zoning.

Recommendation

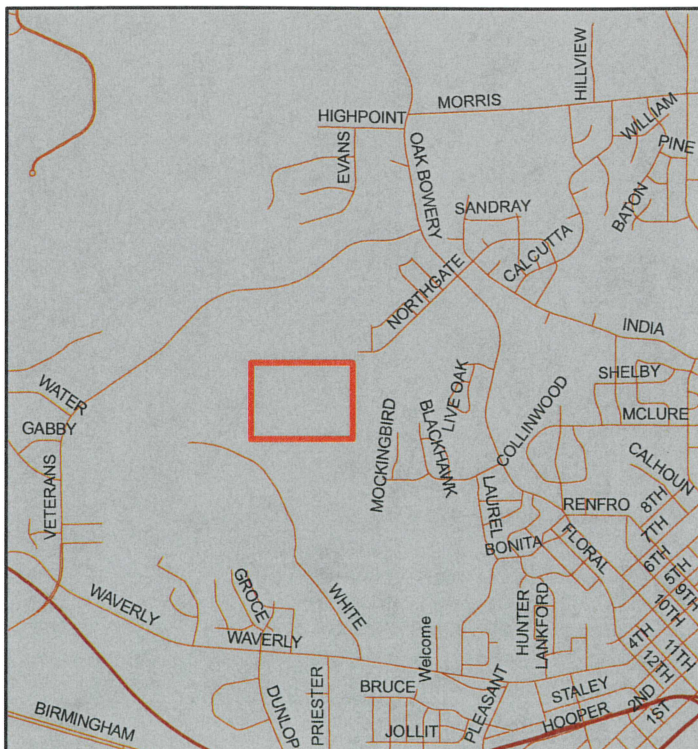
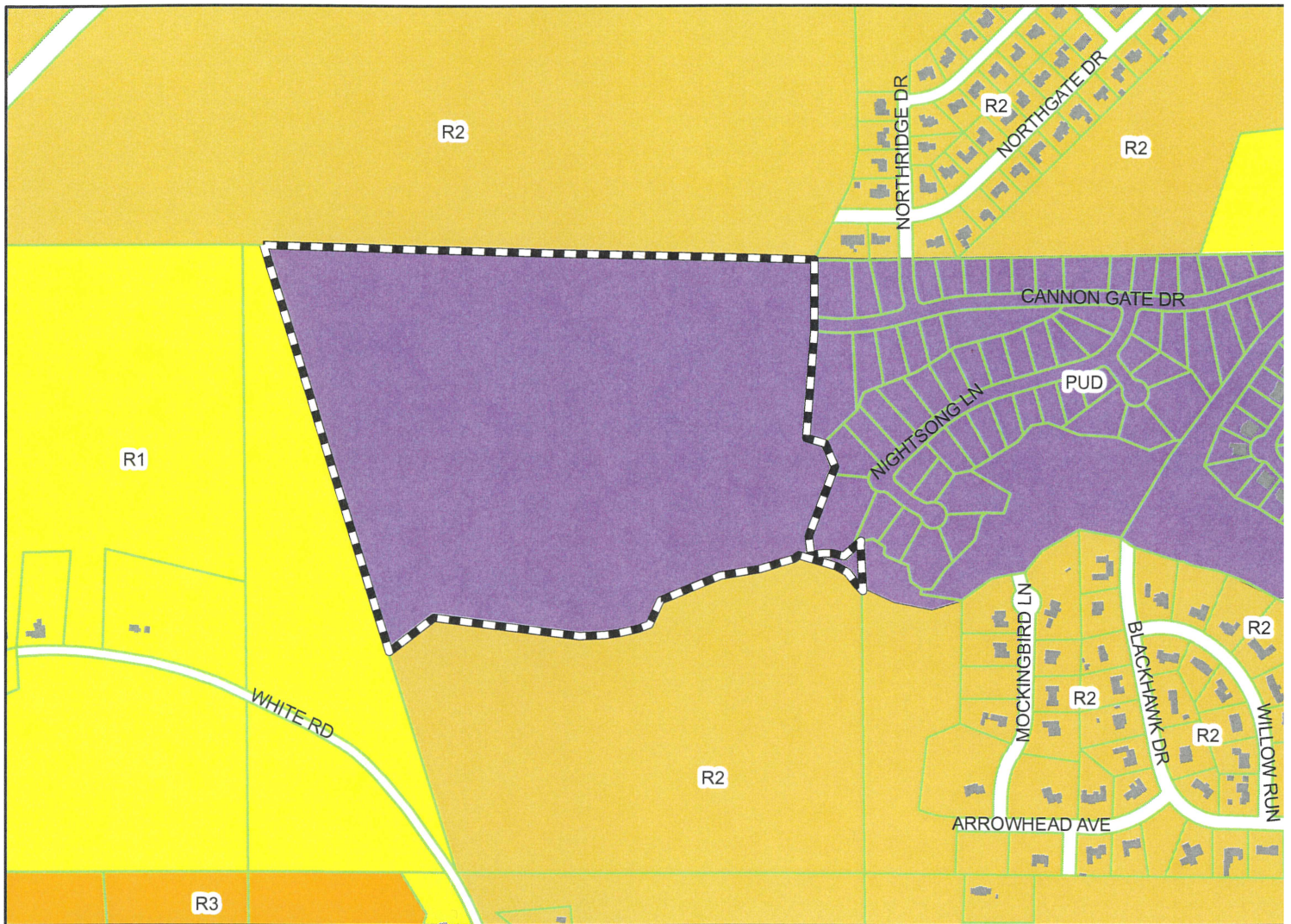
Overall, the master plan is an increase from the previously approved master plan. However, it is consistent with the other sections of Cannon Gate Subdivision and the density is lower than the surrounding R-2 zoning.

Staff recommends approval of the amendment to the Cannon Gate Subdivision subject to the following:

- **An additional access point be provided to the vacant property to the north.**
- **If this area is designated as part of the Opelika Creekline project or in the City of Opelika Pedestrian Master Plan, the owner and/or developer will work with the city staff to determine a suitable route through open space or flood plain areas and provide an easement not to exceed 30 feet in width.**

At the April 28th meeting, the Planning Commission voted to send a positive recommendation to the City Council to approve amendments to the Cannon Gate Master Plan as described in this report. This recommendation includes the Commissioner's approval of Staff Recommendations provided in the report.

CANNON GATE PUD MASTER PLAN AMENDMENTS CANNON GATE DRIVE MAJOR AMENDMENT TO MASTER PLAN



The applicant is requesting approval from 6 single family homes at 31,250 sf lots (estimate) to 81 single family homes lots ranging from 10,358 sf to 53,560 sf. The subject property is in the Cannon Gate PUD zoning district.



Subject Property

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



City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 4060)

Meeting: 06/16/20 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 4060

Public Hearing - Amend Zoning Ord & Map: Rezoning, 6.6 Acres, Dale Avenue.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, June 16, 2020, at 7:00 p.m. in the Courtroom of the Opelika Municipal Court Building, 300 Martin Luther King Boulevard, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend Ordinance Number 124-91 (entitled “Zoning Ordinance of the City of Opelika”) adopted on September 17, 1991. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

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

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

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

From an R-5M District (High Density Residential District) to a C-3 District (General Commercial District), the parcel of land hereinafter described:

Commencing at the Northwest corner of the Northeast quarter of Section 15,

Township 19 North, Range 26 East, run thence South 3 degrees 42 minutes East, a distance of 2317 feet to a point on the Southerly margin of Dale Avenue, which is the point of beginning of the property herein to be described. From said last mentioned beginning point, continue South 3 degrees 42 minutes East, a distance of 884 feet; run thence North 87 degrees, 44 minutes East, a distance of 266 feet to a point on the Westerly margin of King Lake Road; run thence North 29 degrees, 48 minutes East, along the Westerly margin of King Lake Road, a distance of 850 feet to the intersection of the Westerly margin of King Lake Road with the Southerly margin of Dale Avenue; run thence North 61 degrees, 35 minutes West, a distance of 660 feet along the Southerly margin of Dale Avenue to the point of beginning: said parcel contains 6.6 acres, more or less.

The above-described property is located at 3417 Dale Avenue, Opelika, Alabama.

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

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

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

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

WITNESS my hand this the ____ day of _____, 2020.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Please publish the foregoing Notice one (1) time in the _____, 2020, issue of your paper.

CITY CLERK

The applicant is requesting rezoning 6.6 acres from R-5M to C-3 for outside storage & wholesale of earthen materials (topsoil, gravel, mulch) for construction projects and retail sales. About 75% of business activities are dump-trucks deliveries to commercial/residential projects. About 25% of activities is retail sales pick-up by local homeowners. Site plan shows 11 material bins, large stockpile areas, and an office with parking. Three to 4 dump truck loads per week will deliver to rezoning property. Equipment stored on property are tri-axle dump trucks, a low-boy truck, and a water truck. Primary access to property is King Lake Road from Pepperell Parkway; a 500 foot section of King Lake is undeveloped. Staff does not object to the proposed C-3 zone, but some uses that require conditional use approval in C-3 including the earth material business will likely have a negative impact on the surrounding area. Uses allowed in the C-3 zone and some uses conditionally approved (as listed above) would be more compatible, sensitive, and in character with the surrounding area. The Planning Commission report and map are attached. At the April 28th meeting, the Planning Commission voted to send a positive recommendation to CC to rezone the property. At the May 5th CC WS, the Council reviewed the rezoning and granted permission to advertise for a CC public hearing.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. No one came forward to speak. President Smith closed the public hearing.

City of Opelika Planning Commission Report

Action Requested: Rezoning - from R-5M to C-3

Location of Property: 3417 Dale Avenue or accessed from King Lake Road off Pepperell Parkway

Property Owner(s): AUO Investments, LLC (Brandon Davis)

Current Zoning: R-5M (high density residential)

Proposed Zoning: C-3 (General Commercial)

Existing Land Use: Undeveloped

**Surrounding Zoning Districts
And Land Uses:**

North	R-5M	Single-family home
South	C-3, GC-P	Commercial (Cannon Carpet One Floor)
East	R-3	King Lake Road, Undeveloped/mini-storage
West	C-3, GC-P	Clayton Mobile Homes sales

Rezoning

The applicant is requesting rezoning 6.6 acres from R-5M to C-3. The applicant desires to store earthen materials (topsoil, gravel, mulch) on the property for wholesale and retail sales. About 75% of business activities are dump-trucks delivering earthen materials to commercial or residential construction projects. About 25% of activities is retail sales to local homeowners purchasing earth materials for home landscape/excavation projects. The conceptual site plan shows 11 material bins, large stockpile areas, and an office with seven parking spaces (one handicap).

The applicant said in most cases 3 to 4 dump truck loads per week will deliver earth materials to the rezoning property for storage or stockpiling of material; occasionally, maybe up to 8 truckloads per week will deliver material. In many cases, earth materials delivered to commercial and residential construction projects are not from the stockpile on rezoning property, but material is picked up at a quarry and delivered to project. The large stockpiles of earth material shown on conceptual site plan is reserved for residential or commercial construction project orders requested for week-end deliveries or if the quarry is closed. Delivering materials from the stockpile to commercial or residential projects occurs about two times a month. Equipment stored on rezoning property are tri-axle dump trucks, a low-boy truck, and a water truck.

The primary access to the rezoning property is King Lake Road from Pepperell Parkway. The length of King Lake Road is about 800 feet and runs from Pepperell Parkway to Dale Avenue. A 300 foot

section of King Lake Road from Pepperell Parkway is hard-surface, asphalt; the asphalt ends about 40 feet from the driveway entrance to the earth material business; a 500 foot section of King Lake Road starting near the business entrance and extending to Dale Avenue is undeveloped (see photos).

Recommendation

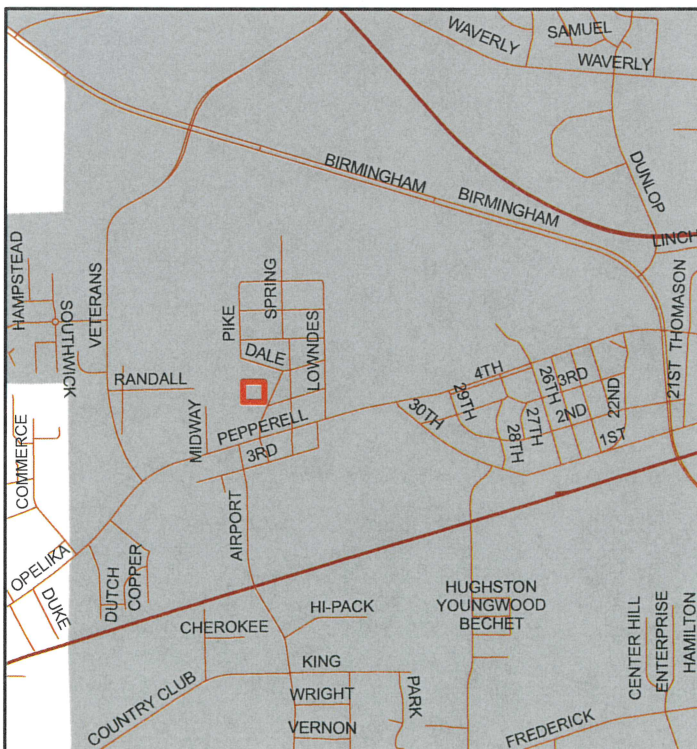
The rezoning property is adjacent to two zoning districts, C-3 and R-5M. About 2.3 acres of the 6.6 acre rezoning property is adjacent to the C-3 zone on three sides. The adjacent C-3 uses to the west are mobile home storage and undeveloped. On the east side the adjacent C-3 uses are a vacant commercial building and undeveloped. On the south side, Cannon Carpet One flooring, retail store, fronts Pepperell Parkway. The remaining 4.3 acres of the rezoning property is adjacent to a R-5M zone. The adjacent R-5M land uses are King's Estates mobile home park (west), a single family home on 3.1 acres (north), and a 5,500 sf mini-warehouse and undeveloped land.

Staff does not object to the proposed C-3 zone for the property, but some uses that require conditional use approval in C-3 including the earth material business will likely have a negative impact on the surrounding area. If the property was rezoned C-3 the land uses allowed in the C-3 zone such as retail sales, offices, and restaurant are compatible with the adjacent properties. Also, several land uses that require conditional use approval in the C-3 zone are supported by staff because of their minimal impact on the surrounding properties; those uses are contractor's office & warehouse, auto maintenance, storage & distribution businesses, and light manufacturing. Staff is concerned the proposed business will generate an undesirable impact on the surrounding area. It appears the earth material business will be more intensive and larger scale use compared to the surrounding land uses; there's concern the adjacent properties will experience an adverse effect. Its possible conditions may be required to minimize impact. Uses allowed in the C-3 zone or those uses listed that are conditionally approved (as listed above) would be more compatible, sensitive, and in character with the surrounding area.

Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property C-3 for those uses allowed in the C-3 zoning district. Proposed uses that require conditional use review are approved by the Planning Commission.

At the April 28th meeting, the Planning Commission voted to send a positive recommendation to the City Council to rezone the 6.6 acre property to a C-3 zoning district.

DAVIS REZONING 3417 DALE AVENUE R-5M TO C-3



The applicant is requesting rezoning 6.6 acres storage, retail & wholesale of earth material (topsoil, gravel, mulch, etc).



Subject Property

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City Council

204 South 7th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 4062)

Meeting: 06/16/20 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Marty Ogren

Initiator: Charles Mosley

Sponsors:

DOC ID: 4062

Public Hearing - Amend Zoning Ord & Map: Rezoning, 2.87 Acres, 1402 Fitzpatrick Avenue.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, June 16, 2020, at 7:00 p.m. in the Courtroom of the Opelika Municipal Court Building, 300 Martin Luther King Boulevard, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend Ordinance Number 124-91 (entitled "Zoning Ordinance of the City of Opelika") adopted on September 17, 1991. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

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

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

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

From an R-2 District (Low Density Residential District) to a C-2 District (Office/Retail District), the parcel of land hereinafter described:

Commence at a point at the intersection of the North right of way for Fitzpatrick

Avenue and the West line of the East half of Section 12, Township 19 North, Range 26 East, Opelika, Lee County, Alabama, thence North $76^{\circ}41'$ East, 531.5 feet to a point in the North right of way of Fitzpatrick Avenue and the Southwest corner of the parcel of hand to be rezoned and more fully described herein: from this POINT OF BEGINNING, thence leaving said right of way and follow the East line of part of Lot 9, Block 206, Tottens Map of Opelika North $01^{\circ}27'00''$ west, a distance of 212.29 feet; thence along the east line of Lot 1, Autumn Chase Subdivision North $00^{\circ}36'57''$ East, a distance of 165.95 feet; thence along the East line of the C C Torbert Jr property North $01^{\circ}03'10''$ East, a distance of 267.62 feet; thence along the North portion of this rezoning parcel South $88^{\circ}56'51''$ East, a distance of 183.76 feet to a point at the Northwest corner of Lot 2, Hunter Street Subdivision; thence along the West line of Lots 1 and 2, Hunter Street Subdivision South $00^{\circ}54'00''$ East, a distance of 200.00 feet; thence along the West line of Lots 3-B, 2-B, I-A, Rudd Subdivision South $02^{\circ}43'50''$ East, a distance of 416.29 feet to a point in the North right of way of Fitzpatrick Avenue; thence along the North right of way of Fitzpatrick Avenue South $80^{\circ}33'57''$ West, a distance of 53.98 feet to the beginning of a curve tangent to said line; thence westerly an arc distance of 155.85 feet along the curve concave to the north, having a radius of 1538.30 feet and a chord of South $83^{\circ}28'06''$ West, 155.79 feet to the point of beginning. Said parcel contains 2.87 acres, more or less.

The above-described property is located at 1402 Fitzpatrick Avenue, Opelika, Alabama.

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

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

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

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

WITNESS my hand this the ____ day of _____, 2020.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Please publish the foregoing Notice one (1) time in the _____, 2020, issue of your paper.

 CITY CLERK

The applicant is requesting rezoning 2.8 acres from a R-2 (low density residential) to a C-2 (office/retail) zoning district. The applicant desires to construct an office on the property behind some frontage commercial uses. The rezoning property is part of two larger properties that are approximately 4.5 acres. The proposed rezoning would extend the commercial zoning further back and allow for additional space that is accessed from Waverly Parkway. This rezoning would extend from the currently zoned C-2 approximately 330 feet and extend adjacent to single-family residential zoned property. Residential bufferyards is required between commercial and residential zones. The new zone would not allow outside storage or uses in this area. The Planning Commission report and map are attached. At the April 28th meeting, the Planning Commission voted to send a positive recommendation to CC to rezone the property. At the May 5th CC WS, Council reviewed the rezoning request and granted permission to advertise for a CC PH.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. Jake Roland, who lives at 601 Lankford St and owns a rental property at 501 Hunter St, stated that the area would not benefit from the rezoning because adding commercial space there would devalue the neighborhood and be an eyesore in that residential area. Planning Director Matt Mosley gave an explanation as to why the planning commission recommended the rezoning to council which included buffer zones and some other protections for the residential area. President Smith closed the public hearing.

City of Opelika Planning Commission Report

Action Requested: Rezoning - from R-2 to C-2

Location of Property: 1402 Fitzpatrick Avenue

Property Owner(s): K. Beams Real Estate Investments, LLC.
Jeremy Clark (authorized representative)

Current Zoning: R-2 (low density residential)

Proposed Zoning: C-2 (Light Commercial)

Existing Land Use: Undeveloped

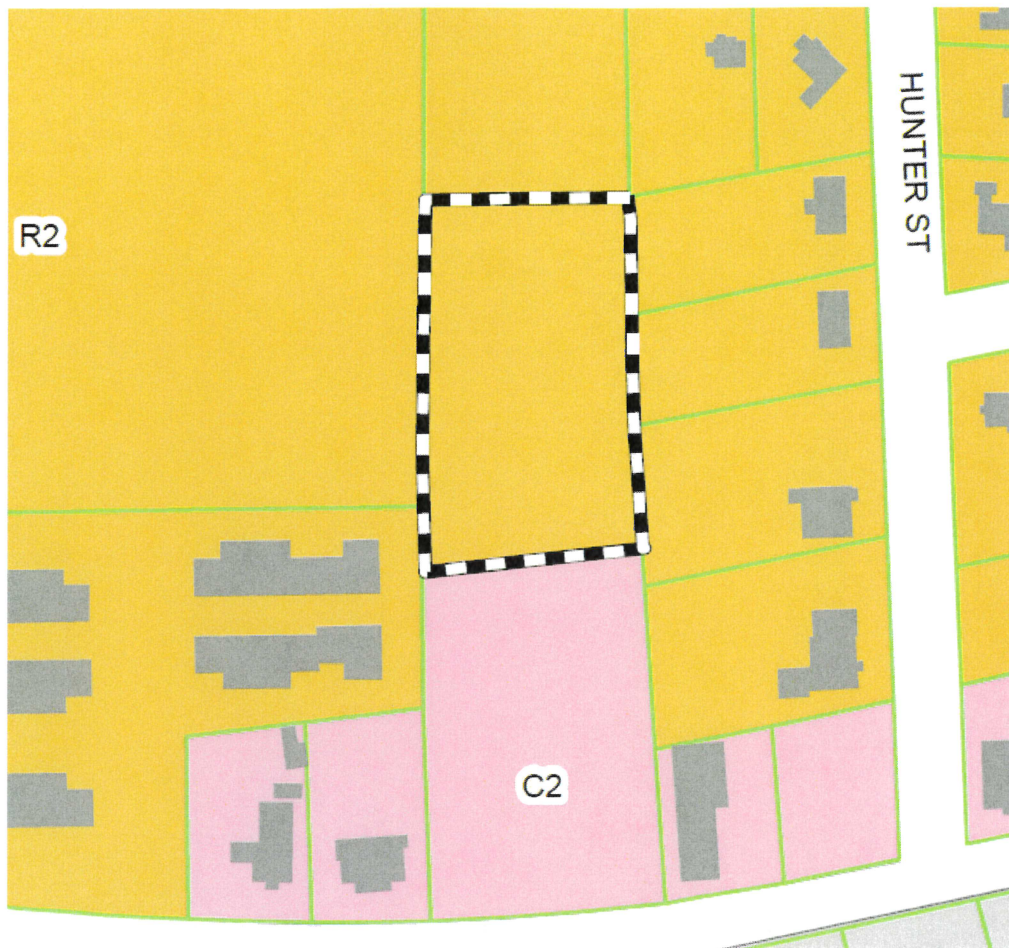
**Surrounding Zoning Districts
And Land Uses:**

North	R-2	Vacant
South	C-3	Single-family & vacant
East	R-2 & C-2	Single-family homes
West	R-2 & C-2	Multi-family residential & vacant

Rezoning

The applicant is requesting rezoning 2.87 acres from R-2 to C-2. The applicant desires to construct an office on the property behind some frontage commercial uses. The subject property is part of two larger properties that are approximately 4.5 acres in area. The property is long and narrow with limited frontage on both Waverly Parkway and Hunter Avenue. Previous plans have shown a road connecting the two. However, the width of the lot and topographic issues creates very small and narrow sites. This leaves much of middle portion of the lot hard to use.

The proposed rezoning would extend the commercial zoning further back and allow for additional space that could be accessed from Waverly Parkway. This rezoning would extend from the currently zoned C-2 approximately 330 feet. This would create more areas where the commercial zoning would be adjacent to single-family residential zoned property. This includes two more homes on the eastern property line (Hunter Street) and an undeveloped R-2 property on the west. These areas would be required to have the residential bufferyards as described in the zoning ordinance. The new zone would not allow any outside storage or uses in this area. The applicant has stated that he would like to construct an office building that would be used during standard workdays.



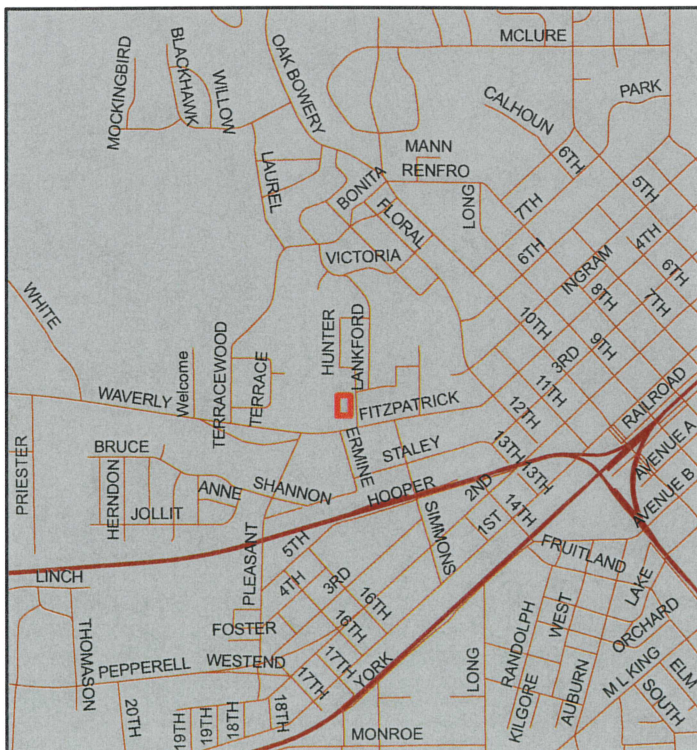
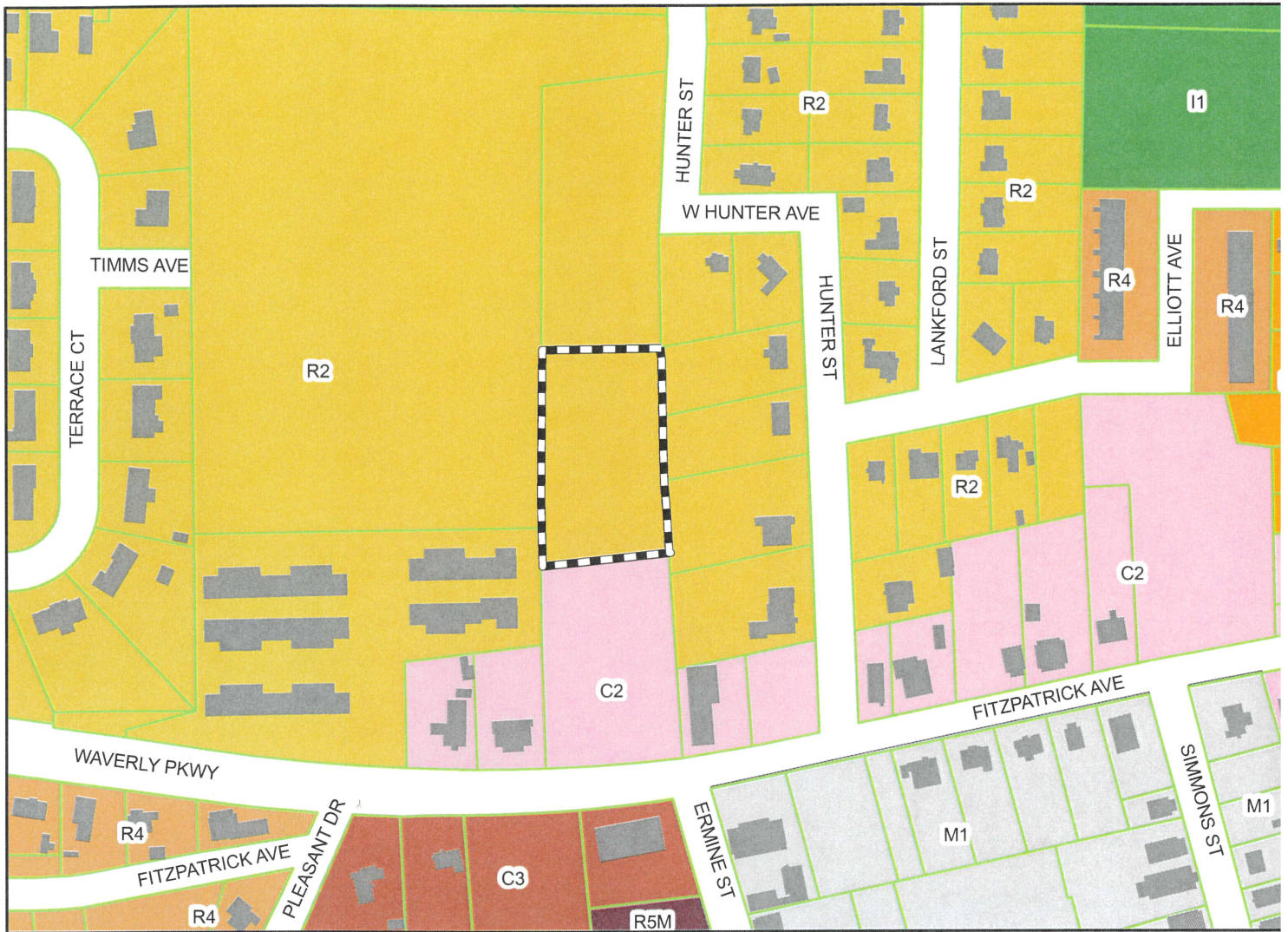
Recommendation

Staff feels that the requested rezoning would be the best way to utilize the long and topographically challenged property. The additional space would allow limited commercial uses and require additional buffering against the single-family zoned properties.

Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property C-2.

At the April 28th meeting, the Planning Commission voted to send a positive recommendation to the City Council to rezone the 2.87 acre property to a C-2 zoning district.

CLARK REZONING 1402 FITZPATRICK AVENUE R-2 TO C-2



The applicant is requesting rezoning 2.87 acres
an office- warehouse for his business.



Subject Property

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City Council

204 South 7Th Street
Opelika, AL

SCHEDULED

GENERAL BUSINESS (ID # 4103)

Meeting: 06/16/20 07:00 PM

Department: Planning

Category: Public Hearing

Prepared By: Charles Mosley

Initiator: Charles Mosley

Sponsors:

DOC ID: 4103

Public Hearing - Amend Zoning Ord & Map: Rezoning, 0.7 Acres, 1813 Old Columbus Road.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Opelika will hold a Public Hearing on Tuesday, June 16, 2020, at 7:00 p.m. in the Courtroom of the Opelika Municipal Court Building, 300 Martin Luther King Boulevard, Opelika, Lee County, Alabama.

PURPOSE

The purpose of said Public Hearing will be to consider the adoption of an ordinance to amend Ordinance Number 124-91 (entitled "Zoning Ordinance of the City of Opelika") adopted on September 17, 1991. At said Public Hearing all who desire to be heard shall have the opportunity to speak for or in opposition to the adoption of the following ordinance:

ORDINANCE NO. _____

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

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

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

From an M-1 District (Industrial District) to an R-4 District (Medium Density Residential District), the parcel of land hereinafter described:

Commence at the southeast corner of Section 21, Township 19 North, Range 27 East

in Lee County, Alabama; thence run West for 420.0 feet to the point of beginning of the parcel or tract of land here to be described and herein conveyed; from said point of beginning thence run North 79 deg. 40 min. West for 221.0 feet; thence run North 73 deg. 00 min. West for 237.5 feet; thence run South 01 deg. 50 min. East for 114.0 feet; thence run South 89 deg. 21 min. East for 441.5 feet to the said point of beginning; said parcel contains 1.9 acres, more or less.

The above-described property is located at 1813 Old Columbus Road, Opelika, Alabama.

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

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

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

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

WITNESS my hand this the ____ day of _____, 2020.

CITY CLERK OF THE CITY OF OPELIKA, ALABAMA

TO: PUBLISHER

Please publish the foregoing Notice one (1) time in the _____, 2020, issue of your paper.

CITY CLERK

The applicant is requesting rezoning 0.7 acres (30,355 square feet) from a M-1 (manufacturing) to a R-4 (medium density) zoning district. The property is in a manufacturing zone and a single family home is on the lot. Single family homes and mobile homes are on adjacent lots zoned R-4M across Old Columbus Road. Adjacent to the rezoning property on south side of Old Columbus Road is a M-1 zone. The Planning Commission report and map are attached. At the April 28th meeting, the Planning Commission voted to send a positive recommendation to CC to rezone the property. At the May 5th CC WS, Council reviewed the rezoning request and granted permission to advertise for a CC PH.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said rezoning. No one came forward to speak. President Smith closed the public hearing.

City of Opelika Planning Commission Report

Action Requested	Rezoning - from M-1 to R-4
Location of Property	1813 Old Columbus Road
Property Owner(s)	Clayton Howard
Current Zoning	M-1 (Manufacturing)
Proposed Zoning	R-4 (Medium Density Residential)
Existing Land Use	Residential and Undeveloped

Surrounding Zoning Districts

And Land Uses:	North	R-4	Single-family homes
	South	M-1	Manufacturing
	East	M-1	Manufacturing
	West	M-1	Manufacturing

Rezoning

Clayton Howard is requesting a rezoning of 0.7 acres (30,355 square feet) from M-1 to R-4. The property is in a manufacturing zone and a single family home exists on the lot.

The adjacent properties on the south and west sides of the 0.7 acre rezoning property are zoned M-1. On the north side is R-4M. Single family homes and mobile homes are on most adjacent lots; two lots are vacant/undeveloped. The adjacent lots range in size from .34 acres and 58.29 acres.

Staff believes rezoning to R-4 is compatible with the adjacent R-4M zoning district. The R-4 zone is intended residential development including, but not limited to single family detached, duplexes, not exceeding nine (9) units per acre. Developments in this district should be served by sanitary sewer, and should be in context with the scale and character of the existing neighborhood.

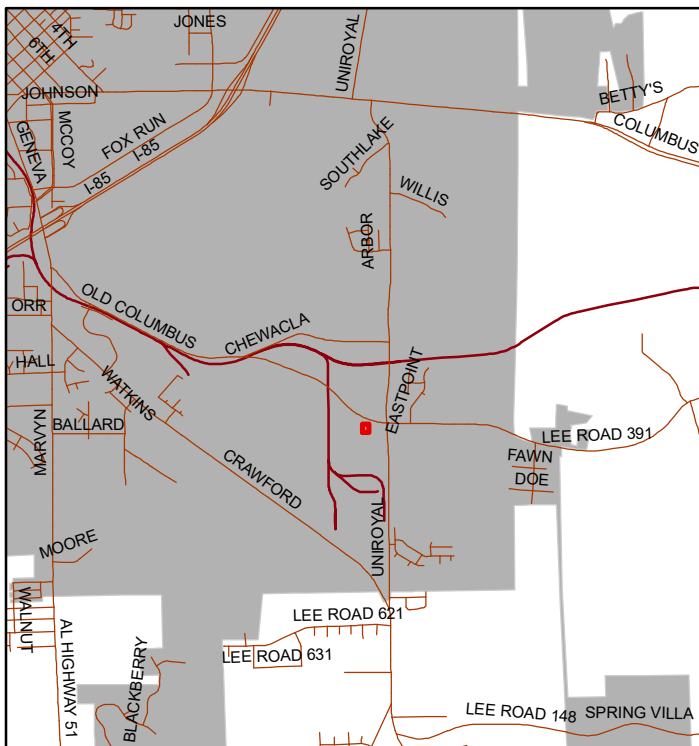
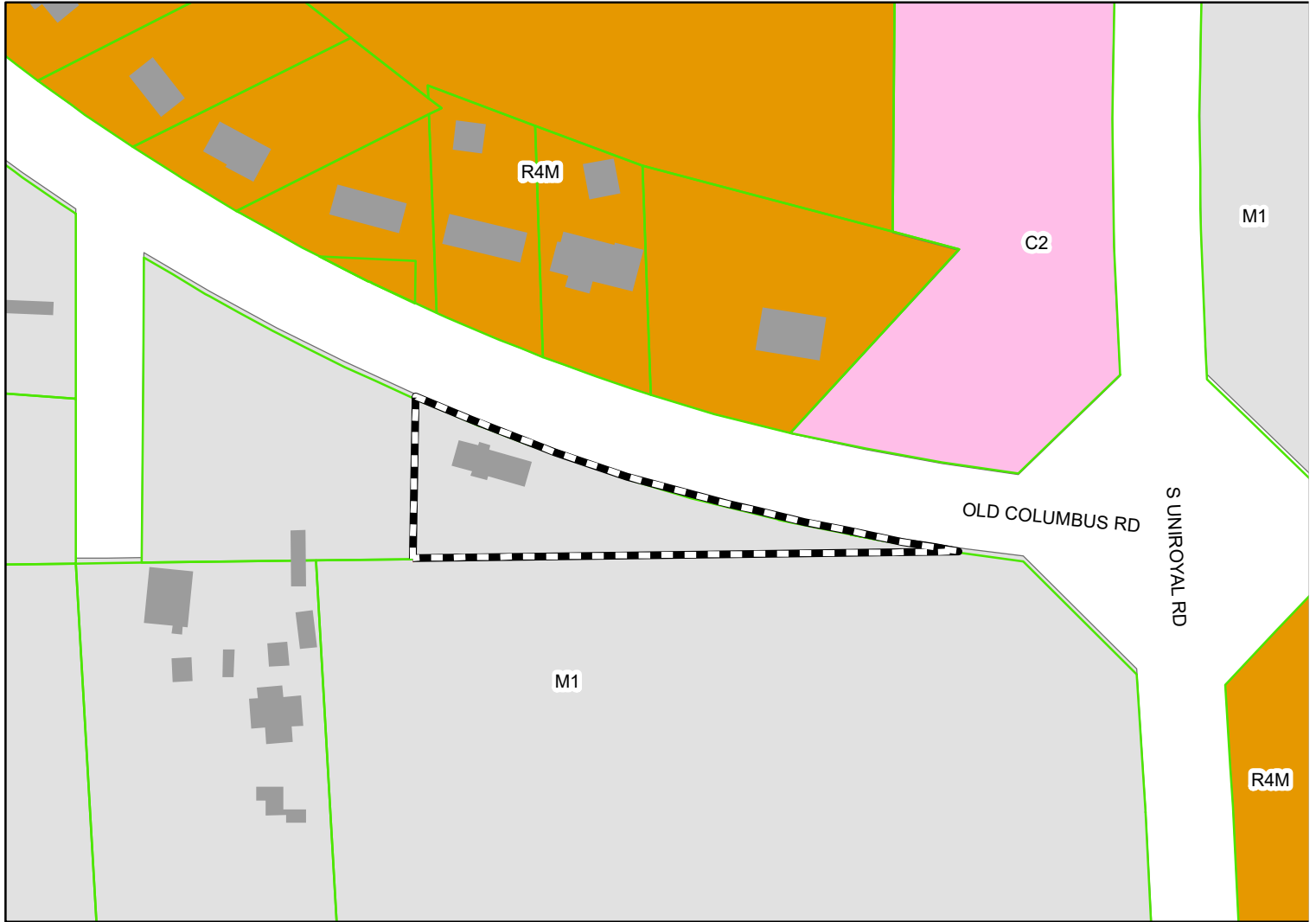
Staff Recommendation

Planning Staff recommends Planning Commission send a positive recommendation to the City Council to rezone the property from M-1 to R-4.

At the April 28th meeting, the Planning Commission voted to send a positive recommendation to the City Council to rezone the property to a R-4 zoning district.

HOWARD REZONING 1813 OLD COLUMBUS ROAD M-1 TO R-4

11.10.a



The applicant is requesting rezoning a 0.7 acre lot (30,535 sf) to R-4. A single family home is on the lot; currently the lot is in a manufacturing zoning district (M-1).



Subject Property

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

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4078)**

Meeting: 06/16/20 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 4078

Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE**Date: 06/03/2020****To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830****Property Address:
12 E Johnson Ave
Opelika Al. 36801
Parcel # 10-04-17-2-000-013.000**

On May 5, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement: 132.58

Certified mail: 13.34

Misc.

Total 145.32

Attachment: Weed Invoice 12 E Johnson Ave (4078 : Public Hearing - Weed Abatement Assessment - 12 E Johnson Ave.)

To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830

**NOTICE OF PUBLIC HEARING ON COST OF
ABATEMENT OF WEED NUISANCE LOCATED AT
12 E Johnson Ave Tax parcel 43-10-04-17-2-000-013.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 12 E Johnson Ave Parcel No. 013.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$145.32.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal Court Building, at 300 M L King Blvd, Opelika, Alabama, on the 16th day of June, 2020

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

Dated this the 3rd day of June, 2020

Jerry Bush
Code Compliance Officer

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

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4080)**

Meeting: 06/16/20 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 4080

Public Hearing - Weed Abatement Assessment - 610 M L King Blvd.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. Ms. Jones stated it seemed that the grass at the property had already been cut. Mr. Gunter stated all of the weed abatements have already been cut at the city's expense and this is to assess the cost back against the property. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 06/03/2020

**To: Julia Fanning
903 S 4th St
Opelika AL. 36801**

**Property Address:
610 M L King Blvd
Opelika AL. 36801
Parcel # 10-04-18-2-001-081.000**

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>161.37</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>174.71</u>

Attachment: Weed invoice 610 M L King Blvd (4080 : Public Hearing - Weed Abatement Assessment - 610 M L King Blvd.)

To: **Julia Fanning**
903 S 4th St
Opelika AL. 36801

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 610 M L King Blvd, Parcel 10-04-18-2-001-081.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 610 M L King Blvd, Parcel No. 081.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$174.71.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal Court Building, 300 M L King Blvd, Opelika, Alabama, on the 16th day of June, 2020.

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

Dated this the 3rd day of June, 2020.

 Jerry Bush
 Code Compliance Officer

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

Attachment: Notice of public hearing 610 M L KING Blvd (4080 : Public Hearing - Weed Abatement Assessment - 610 M L King Blvd.)

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4082)**

Meeting: 06/16/20 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: Jerry Bush

Initiator: Lillie Finley

Sponsors:

DOC ID: 4082

Public Hearing - Weed Abatement Assessment - 1108 Chandler Ave.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: 06/03/2020
To: Glenn Stephens
 6037 Shadow Lakes Way
 Lithonia, Ga. 30058

Property Address:
 1108 Chandler Ave
 Opelika Al. 36801
 Parcel # 09-06-24-1-000-040.000

On May 5, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>125.00</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>138.34</u>

Attachment: WEED INVOICE - 1108 Chandler Ave (4082 : Public Hearing - Weed Abatement Assessment - 1108 Chandler Ave.)

To: Glenn Stephens
6037 Shadow Lakes Way
Lithonia Ga. 30058

**NOTICE OF PUBLIC HEARING ON COST OF
ABATEMENT OF WEED NUISANCE LOCATED AT
1108 Chandler Ave Parcel No. 43-09-24-1-000-040.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1108 Chandler Ave, Parcel No. 040.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$138.34.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal court Building, 300 M L King Blvd, Opelika, Alabama, on the 16th day of June, 2020.

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

Dated this the 3rd day of June, 2020.

Jerry Bush
Code Compliance Officer

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

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4084)**

Meeting: 06/16/20 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: William May

Initiator: Lillie Finley

Sponsors:

DOC ID: 4084

Public Hearing - Weed Abatement Assessment - 514 Old Columbus Road.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

WEED ABATEMENT INVOICE

Date: June 3, 2020

**To: Phillip Ray Allen
64 Lee Rd 2093
Valley AL. 36854**

**Property Address:
514 Old Columbus Rd.
Opelika AL. 36801
Parcel # 10-04-20-1-000-010.000**

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>592.25</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>605.59</u>

Attachment: WEED INVOICE 514 Old Columbus Rd (4084 : Public Hearing - Weed Abatement Assessment - 514 Old Columbus Road.)

To : **Phillip Ray Allen**
64 Lee Rd 2093
Valley Al. 36854

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 514 Old Columbus Rd., Parcel # 10-04-20-1-000-010.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 514 Old Columbus Rd, Parcel No. 010.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$605.59.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal Court Building, 300 M L King Blvd., Opelika, Alabama, on the 16th day of June, 2020.

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

Dated this the 3rd day of June, 2020.

 William B. May
 Code Compliance Officer

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

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4089)**

Meeting: 06/16/20 07:00 PM

Department: Purchasing and Revenue

Category: Public Hearing

Prepared By: William May

Initiator: Lillie Finley

Sponsors:

DOC ID: 4089

Public Hearing - Weed Abatement Assessment - 1109 Magnolia Street.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

To: State of Alabama
 PO Box 327210
 Montgomery AL 36132

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 1109 Magnolia St. Parcel 10-04-18-2-001-022.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 1109 Magnolia St, Parcel No. 022.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$217.04.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal Court Building 300 M L King Blvd., Opelika, Alabama, on the 16th of day June, 2020.

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

Dated this the 3rd day of June, 2020.

 William B. May
 Code Compliance Officer

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

WEED ABATEMENT INVOICE**Date: 06/3/2020****To: State of Alabama
PO Box 327210
Montgomery Al. 36132****Property Address:
1109 Magnolia St
Opelika Al. 36801
Parcel # 10-04-18-2-001-022.000**

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement: 203.70Certified mail: 13.34Misc. Total 217.04

Attachment: WEED INVOICE 1109 Magnolia St (4089 : Public Hearing - Weed Abatement Assessment - 1109 Magnolia Street.)

**City Council**

204 South 7Th Street
Opelika, AL

SCHEDULED**GENERAL BUSINESS (ID # 4093)**

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Weed Abatement Assessment
Prepared By: William May
Initiator: Lillie Finley
Sponsors:

DOC ID: 4093

Public Hearing - Weed Abatement Assessment - 105 Vaughan Ave.

COMMENTS - Current Meeting:

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.

To: **State of Alabama**
PO Box 327210
Montgomery Al. 36132

**NOTICE OF PUBLIC HEARING ON COST OF
 ABATEMENT OF WEED NUISANCE LOCATED AT
 105 Vaughan Ave Parcel# 10-04-18-1-001-077.000**

=====

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 105 Vaughan Ave, Parcel No. 077.000 in the City of Opelika has been abated by the removal of the noxious or dangerous weeds, and the Mayor has therefore submitted to the City Council an itemized report (attached) in writing showing the cost of removing said nuisance. The total cost of abating such nuisance in front of or upon the above described property is \$205.84.

Notice is also given that the City Council of the City of Opelika will meet to hear and to determine any objections or defenses that may be raised by any of the property owners liable to be assessed of the work of abating such nuisance at 7:00 p.m. in the Municipal Court Building, 300 M L King Blvd., Opelika, Alabama, on the 16th day June, 2020.

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

Dated this the 3rd day of June 3, 2020.

 William B May
 Code Compliance Officer

Cc: Joey Motley – City Administrator
 Guy Gunter – City Attorney
 Lillie Finley – Revenue Manager

WEED ABATEMENT INVOICE**Date: 06/3/2020****To: State of Alabama
PO Box 327210
Montgomery Al. 36132****Property Address:
105 Vaughn Ave
Opelika Al. 36801
Parcel # 10-04-18-1-001-077.000**

On March 18, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>192.50</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>205.84</u>

Attachment: WEED INVOICE 105 Vaughan Ave (4093 : Public Hearing - Weed Abatement Assessment - 105 Vaughan Ave.)



City Council

204 South 7Th Street
Opelika, AL

ADOPTED

BIDS 096-20

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Courtney Ross
Initiator: Lillie Finley
Sponsors:
DOC ID: 4100

Contract for Uniform Cleaning (FD).

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract to provide Uniform Cleaning for the Fire Department; and

WHEREAS, Downtown Cleaners, Inc. submitted the sole bid meeting specifications; and

WHEREAS, this is a budgeted contract;

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

1. That the contract be awarded to Downtown Cleaners, Inc. on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to Downtown Cleaners, Inc. on an as needed basis.
3. That the Mayor be authorized to sign all documents pertaining to this contract.
4. The Controller is authorized to adjust the budget as necessary for this contract.

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

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

ATTEST:

Russell A. Jones
City Clerk - Treasurer

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

FACT SHEET

SUBJECT: Sealed Bids – Bid #20022 – We are asking the Council to approve a contract for Uniform Cleaning

FACTS:

- Bid opening date – 06/08/20
- User Department – Fire Department
- This bid was mailed to 4 vendors
- 1 bid was received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend award contract to Downtown Cleaners, Inc. on their sole bid meeting specifications.**

BID# 20022 DATE: 6/8/20 DEPT: FIRE						4 VENDORS INVITED	
DESCRIPTION: UNIFORM CLEANING						1 BID RECEIVED	
	ITEM 1: PANTS			ITEM 4: LINED JACKETS			
	ITEM 2: SHIRTS			ITEM 5: DRESS COAT			
	ITEM 3: POLOS						
VENDOR NAME	ITEM #1	ITEM #2	ITEM #3	ITEM #4	ITEM #5		
DOWNTOWN ONE HOUR CLEANERS	\$ 3.00	\$ 3.00	\$ 3.00	NC	NC		
FIFTH AVENUE CLEANERS INC							
MAIN STREET CLEANERS							
PENNY PROFIT CLEANERS							
	ITEM 6: SEWING ON SHOULDER PATCHES			ITEM 8: REPAIR HEMS, SEAMS, SMALL TEARS			
	ITEM 7: HEM (NEW PANTS/DRESS/ETC.)			PRESSING:			
				ITEM 9: PANTS,SHIRT,ETC.			
VENDOR NAME	ITEM #6	ITEM #7	ITEM #8	ITEM #9	DEL	DISC	
DOWNTOWN ONE HOUR CLEANERS	\$ 3.00	NC	\$ 3.00	NC	1 day	--	
FIFTH AVENUE CLEANERS INC							
MAIN STREET CLEANERS							
PENNY PROFIT CLEANERS							



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

BIDS 097-20

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Courtney Ross
Initiator: Lillie Finley
Sponsors:
DOC ID: 4101

Contract for Ductile Iron Utility Poles (OPS).

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract for Ductile Iron Utility Poles for Opelika Power Services; and

WHEREAS, McWane Poles submitted the sole bid meeting specifications; and

WHEREAS, this is a budgeted purchase;

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

1. That the contract be awarded to McWane Poles on their sole bid meeting specifications.
2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to McWane Poles on an as needed basis.
3. That the Mayor is hereby authorized to sign all documents pertaining to this contract.
4. The Controller is authorized to adjust the budget as necessary for this contract.

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

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

ATTEST:

Russell A. Jones
City Clerk - Treasurer

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

FACT SHEET

SUBJECT: Sealed Bid #20023 – We are asking the Council to approve a contract for Ductile Iron Utility Poles

FACTS:

- Bid opening date – 6/8/20
- User department – Opelika Power Services
- The bid was mailed to 4 vendors
- 1 bid was received
- McWane Poles submitted the sole bid
- Budgeted purchase
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the bid be awarded to McWane Poles on their sole bid meeting specifications on an as needed basis.**

Attachment: Ductile Iron Utility Poles (097-20 : Contract for Ductile Iron Utility Poles (OPS).)

BID# 20023 DATE: 6/8/20 DEPT: OPS
DESCRIPTION: DUCTILE IRON UTILITY POLES
VENDOR NAME: MCWANE POLES

4 VENDORS INVITED
BIDS RECEIVED

12.2.a

STR ID #	Length of Pole (feet)	Steel Pole Class (WPE)	Estimated Number 3 yr. period	Price Per Unit (Ea.) Weathering Finish
105 CL H1	105	CL H1	0	
105 CL H2	105	CL H2	2	
105 CL H3	105	CL H3	1	
105 CL H4	105	CL H4	1	
105 CL H5	105	CL H5	1	
105 CL H6	105	CL H6	3	
105 CL H7	105	CL H7	1	
100 CL H1	100	CL H1	0	
100 CL H2	100	CL H2	4	6149.51
100 CL H3	100	CL H3	1	7095.16
100 CL H4	100	CL H4	6	
100 CL H5	100	CL H5	1	
100 CL H6	100	CL H6	1	
100 CL H7	100	CL H7	1	
95 CL H2	95	CL H2	1	5790.06
95 CL H3	95	CL H3	6	6258.99
95 CL H4	95	CL H4	2	7302.50
95 CL H5	95	CL H5	1	7952.93
95 CL H6	95	CL H6	1	
95 CL H7	95	CL H7	1	
90 CL H1	90	CL H1	0	
90 CL H2	90	CL H2	2	5443.46
90 CL H3	90	CL H3	1	6269.99
90 CL H4	90	CL H4	1	6859.83
90 CL H5	90	CL H5	1	7466.44
90 CL H6	90	CL H6	1	
90 CL H7	90	CL H7	1	
85 CL H1	85	CL H1	0	
85 CL H2	85	CL H2	1	5098.00
85 CL H3	85	CL H3	1	5505.43
85 CL H4	85	CL H4	1	6418.26
85 CL H5	85	CL H5	1	6549.02
85 CL H6	85	CL H6	1	
85 CL H7	85	CL H7	1	
80 CL H1	80	CL H1	0	
80 CL H2	80	CL H2	1	4740.61
80 CL H3	80	CL H3	1	5115.67
80 CL H4	80	CL H4	1	5590.39
80 CL H5	80	CL H5	1	6075.57
80 CL H6	80	CL H6	1	7150.85
80 CL H7	80	CL H7	1	7776.25
75 CL H1	75	CL H1	0	
75 CL H2	75	CL H2	1	4397.40
75 CL H3	75	CL H3	1	4741.14
75 CL H4	75	CL H4	1	5521.70

Attachment: Ductile Iron Utility Poles (097-20 : Contract for Ductile Iron Utility Poles (OPS).)

BID# 20023 DATE: 6/8/20 DEPT: OPS
DESCRIPTION: DUCTILE IRON UTILITY POLES
VENDOR NAME: MCWANE POLES

4 VENDORS INVITED
BIDS RECEIVED

12.2.a

STR ID #	Length of Pole (feet)	Steel Pole Class (WPE)	Estimated Number 3 yr. period	Price Per Unit (Ea.) Weathering Finish
75 CL H5	75	CL H5	1	5995.26
75 CL H6	75	CL H6	1	6593.71
75 CL H7	75	CL H7	1	7161.23
70 CL H1	70	CL H1	0	
70 CL H2	70	CL H2	1	4055.15
70 CL H3	70	CL H3	1	4657.45
70 CL H4	70	CL H4	1	5083.57
70 CL H5	70	CL H5	1	5513.95
70 CL H6	70	CL H6	1	6058.18
70 CL H7	70	CL H7	1	6569.45
65 CL H1	65	CL H1	0	
65 CL H2	65	CL H2	1	3704.09
65 CL H3	65	CL H3	1	4249.15
65 CL H4	65	CL H4	1	4633.13
65 CL H5	65	CL H5	1	5018.13
65 CL H6	65	CL H6	1	5507.00
65 CL H7	65	CL H7	1	5960.96
60 CL H1	60	CL H1	0	
60 CL H2	60	CL H2	2	3363.53
60 CL H3	60	CL H3	2	3852.77
60 CL H4	60	CL H4	1	4197.00
60 CL H5	60	CL H5	1	4538.42
60 CL H6	60	CL H6	1	4660.81
60 CL H7	60	CL H7	1	5374.61
55 CL H1	55	CL H1	0	
55 CL H2	55	CL H2	4	3023.94
55 CL H3	55	CL H3	2	3457.71
55 CL H4	55	CL H4	2	3762.08
55 CL H5	55	CL H5	1	4060.13
55 CL H6	55	CL H6	1	4160.11
55 CL H7	55	CL H7	1	4789.70
50 CL H1	50	CL H1	0	
50 CL H2	50	CL H2	15	2675.01
50 CL H3	50	CL H3	15	3055.25
50 CL H4	50	CL H4	2	3318.12
50 CL H5	50	CL H5	2	3571.39
50 CL H6	50	CL H6	1	3890.11
50 CL H7	50	CL H7	1	3928.56
45 CL H1	45	CL H1	15	2094.58
45 CL H2	45	CL H2	15	2336.98
45 CL H3	45	CL H3	15	2661.62
45 CL H4	45	CL H4	5	2884.46
45 CL H5	45	CL H5	1	3096.35
45 CL H6	45	CL H6	1	3360.06
45 CL H7	45	CL H7	1	3381.95

Attachment: Ductile Iron Utility Poles (097-20 : Contract for Ductile Iron Utility Poles (OPS).)

STR ID #	Length of Pole (feet)	Steel Pole Class (WPE)	Estimated Number 3 yr. period	Price Per Unit (Ea.) Weathering Finish
40 CL H1	40	CL H1	0	
40 CL H2	40	CL H2	10	2000.15
40 CL H3	40	CL H3	10	2269.34
40 CL H4	40	CL H4	1	2452.10
40 CL H5	40	CL H5	1	2622.74
40 CL H6	40	CL H6	1	2831.25
40 CL H7	40	CL H7	1	3026.09
35 CL H1	35	CL H1	0	
35 CL H2	35	CL H2	5	1658.89
35 CL H3	35	CL H3	1	1872.20
35 CL H4	35	CL H4	1	2012.27
35 CL H5	35	CL H5	1	2140.91
35 CL H6	35	CL H6	1	2297.17
35 CL H7	35	CL H7	1	2431.53
30 CL H1	30	CL H1	0	
30 CL H2	30	CL H2	5	1323.47
30 CL H3	30	CL H3	2	1481.48
30 CL H4	30	CL H4	1	1582.24
30 CL H5	30	CL H5	1	1567.20
30 CL H6	30	CL H6	1	1768.32
30 CL H7	30	CL H7	1	1857.92
70 Class 1	70	CL 1	5	3299.66
65 Class 1	65	CL 1	5	2888.77
60 Class 1	65	CL 1	30	2628.67
55 Class 1	55	CL 1	40	2337.78
50 Class 1	50	CL 1	60	2067.12
45 Class 1	45	CL 1	60	1816.86
40 Class 1	40	CL 1	5	1567.32
35 Class 1	35	CL 1	5	1314.55
30 Class 1	30	CL 1	5	1066.03

Exceptions _____



City Council
204 South 7Th Street
Opelika, AL

ADOPTED

BIDS 098-20

Meeting: 06/16/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Courtney Ross
Initiator: Lillie Finley
Sponsors:
DOC ID: 4102

Contract for Pole Rack Mounted Switched and Fixed Capacitor Banks (OPS).

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract for Pole Rack Mounted Switched and Fixed Capacitor Banks for Opelika Power Services; and

WHEREAS, Mayer Electric Supply Co., Inc. submitted the lowest bid meeting specifications; and

WHEREAS, this is a budgeted purchase;

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

1. That the Purchasing-Revenue Manager be authorized to issue purchase orders to Mayer Electric Supply Co., Inc. on an as needed basis.
2. That the Mayor is hereby authorized to sign all documents pertaining to this contract.
3. That the Controller be authorized to adjust the budget as necessary for this contract.

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

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

ATTEST:

Russell A. Jones
City Clerk - Treasurer

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

FACT SHEET

SUBJECT: Sealed Bid #20025 – We are asking the council to approve a contract for Pole Rack Mounted Switched and Fixed Capacitor Banks

FACTS:

- Bid opening date – 06/08/20
- User department(s) – Opelika Power Services
- The bid was mailed to 15 vendors
- 2 bids were received
- Budgeted purchase
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to Mayer Electric Supply Co., Inc. on their low bid meeting specifications on an as needed basis.**

Lillie Finley

Packet Pg. 114

Packet Pg. 115

RESOLUTION NO. 099-20

Request Refund of Occupational License Fees to Rondo, Inc.

Refund Request-Rondo, Inc. Occupational License Fees.

RESOLUTION NO. _____

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

- 1) That Lillie Finley, Purchasing - Revenue Manager, has investigated and confirmed that said refund request is valid and recommends approval.
- 2) That the Purchasing - Revenue Manager is hereby authorized to prepare and process the appropriate documents so a refund check in the amount of \$1,871.66 can be printed payable to Rondo, Inc., 100 State Street, Moonachie, NJ 07074 for the refund of occupational license fees withheld in error.
- 3) That the City Clerk is hereby authorized to sign, and mail said check to the address as detailed in number 2 above.
- 4) That a copy of the Purchasing - Revenue Manager's recommendation is hereto attached as Exhibit "A".

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

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

ATTEST:

RUSSELL A. JONES
CITY CLERK - TREASURER

RESOLUTION NO. 100-20

Request Refund of Building Permit Fees to East Construction, LLC.

RESOLUTION NO. _____

WHEREAS, a Petition by East Construction, LLC. has been presented to the City of Opelika for refund of Building Permit fees collected for the construction of a building located at 1039 Ski Spray Point, and has presented a letter to the Building Official stating that they have removed their firm as the contractor to the owner on this project.

WHEREAS, the Petition and correctness of the amount of the Petition has been validated by Lillie Finley, Revenue Officer, City of Opelika, Alabama;

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

1. That the Petitioner be and the same is entitled to a refund in said amount;
2. and, That the Clerk of the City of Opelika is hereby authorized to refund said permit fees in the amount of \$5027.04 to the Petitioner, East Construction, LLC. at 721 N. Loop Road, Dadeville, Alabama 36853.

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

Eddie Smith, Council President
City of Opelika, Alabama

ATTEST:

Russell Jones

City Clerk - Treasurer

RESOLUTION NO. 101-20

Amend CDBG Program Year 2019 Action Plan.

Amend CDBG PY2019 Annual Action Plan to include funding and activities to prepare, prevent, and respond to COVID-19. CARES Act funding in the amount of \$159,883 will be used for Housing/Utility Assistance and Microenterprise Assistance providing grants to cover rent, mortgage, and utilities to low-moderate income households and businesses. Public comment period ended on June 12, 2020. No comments received.

RESOLUTION NO. _____

WHEREAS, the U. S. Department of Housing and Urban Development (HUD) has allocated special Community Development Block Grant (CDBG) fund for Entitlement Entities in response to combating the effects of COVID-19. This allocation was authorized in the Coronavirus Air, Relief, and Economic Security (CARES) Act by President Trump on March 27, 2020 to be used to prevent, prepare, and respond to COVID-19.

WHEREAS, the City's Annual Action Plan for the 2019 Program Year, which identifies the projects and programs to which have been selected by the City Council to be undertaken with said Program Year's funding, shall be amended to include COVID-19 activities: and

WHEREAS, a summary list of the activities of said proposed amendment to Annual Action Plan was published in the Opelika Auburn News in order to give citizens an opportunity to comment from June 8, 2020 to June 12, 2020; and

WHEREAS, certifications and grant agreements will need to be signed to submit the Action Plan and receive CDBG-CV grant funds.

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

1. That the City's PY2019 Annual Action Plan be amended to include activities to respond to COVID-19 and,
2. That Gary Fuller, in his capacity as Mayor, is hereby authorized to execute all grant agreements, certifications, sub-recipient agreements, and other documents required in

relation to the submission and implementation of said Plan for the City of Opelika to the U.S. Department of Housing and Urban Development (HUD).

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

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

ATTEST:

Russell Jones
City Clerk - Treasurer

CARES ACT FUNDING

CDBG-CV

The City of Opelika will receive \$159,883 in CDBG-CV funding to allocate to activities that address COVID-19 related community needs. These funds may be used for a range of activities that prevent and respond to the spread of infectious diseases such as the coronavirus disease of 2019 (COVID-19). The proposed activities must meet one of the three National Objectives as required by CDBG regulations:

- Benefit low-and moderate-income persons
- Aid in the prevention or elimination of slums or blight
- Meet an urgent need

The amended PY2019 Annual Action Plan (AAP) will include public service programs to provide rent, mortgage, and utility assistance to households and small businesses to assist with operating expenses and job retention.

The City of Opelika will use a CDBG-CV funding as follows:

- | | |
|----------------------------------|--------------|
| • Housing and utility assistance | \$ 68,000.00 |
| • Microenterprise assistance | \$120,883.00 |

RESOLUTION NO. 102-20

Reprogram CDBG Program Year 2019 Funds.

Reprogram unused funds for PY2019 Public Facility/Sidewalk activity to new CDBG-CV Microenterprise Assistance activity in the amount of \$29,000 to prepare, prevent, and respond to COVID-19.

RESOLUTION NO. _____

WHEREAS, the City of Opelika, an Entitlement City, receives U.S. Department of Housing and Urban Development (HUD) funds from the Community Development Block Grant (CDBG); and

WHEREAS, the City of Opelika desires to amend their Program Year 2019 Action Plan to provide further public services and to re-allocate unspent CDBG funding amounting to \$29,000.00; and

WHEREAS, of the \$29,000.00 in unspent funding will be allocated to Program Year 2019 Action Plan budget as follows: \$29,000.00 to the Microenterprise Assistance Program; and

WHEREAS, the proposed amendment was advertised on May 31, 2020 in the O/A News to notify public and request public comments with the minimum 5-day citizen comment period beginning June 8, 2020 and ending June 12, 2020; and

WHEREAS, these changes meet the threshold for a substantial amendment to the action plan and consolidated plan; and

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

1. That the City adopt the Action Plan amendments attached hereto.
2. That Gary Fuller, in his capacity as Mayor, be authorized to execute all agreements necessary to implement the amended Action Plans.

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

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

ATTEST:

Russell Jones
City Clerk - Treasurer

FACT SHEET

SUBJECT: Amend CDBG Action Plan PY 2019

Community Development staff requests the City Council adopt a resolution to amend PY2019 to transfer unused funds from Public Facility to Microenterprise Assistance in order to assist businesses effected by COVID-19. PY2018 Action Plan budgets as shown below. Staff proposes budget adjustment to transfer \$29,000 from PY2019 Public Facility/Sidewalk funds to PY2019 Microenterprise Assistance.

Description	Current Budget	Increase	Decrease	Ending Budget
Public Facility (2019)	\$ 60,000		\$29,000	\$31,000
Microenterprise Assistance (2019)	\$91,883	\$29,000		\$120,883

HUD requires a minimum 5-day citizen comment period which commenced on June 8, 2020 and ends on June 12, 2020. As of this time, no comments have been received.

RESOLUTION NO. 103-20

Weed Abatement Assessment - 12 E Johnson Ave.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
12 E Johnson Ave Parcel No. 013.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 12 E Johnson Ave, parcel no. 013.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 12 E Johnson Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June, 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$145.32 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 12 E Johnson Ave Parcel no. 013.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-17-2-000-013.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

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

ATTEST:

Russell A. Jones
City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 06/03/2020

To: Matthew Pitts
31 Lee Rd 616
Auburn Al. 36830

Property Address:
12 E Johnson Ave
Opelika Al. 36801
Parcel # 10-04-17-2-000-013.000

On May 5, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement: 132.58

Certified mail: 13.34

Misc.

Total 145.32

Attachment: Weed Invoice 12 E Johnson Ave (103-20 : Weed Abatement Assessment - 12 E Johnson Ave.)

RESOLUTION NO. 104-20

Weed Abatement Assessment - 610 M L King Blvd.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
610 M L King Blvd, Parcel No. 081.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 610 M L King Blvd, parcel no. 081.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 610 M L King Blvd, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June, 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$174.71 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 610 M L King Blvd, Parcel no. 081.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-18-2-001-081.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

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

ATTEST:

Russell A. Jones
City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 06/03/2020****To: Julia Fanning
903 S 4th St
Opelika AL 36801****Property Address:
610 M L King Blvd
Opelika AL 36801
Parcel # 10-04-18-2-001-081.000**

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement: 161.37

Certified mail: 13.34

Misc.

Total 174.71

Attachment: Weed invoice 610 M L King Blvd (104-20 : Weed Abatement Assessment - 610 M L King Blvd.)

RESOLUTION NO. 105-20

Weed Abatement Assessment - 1108 Chandler Ave.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1108 Chandler Ave, Parcel No. 040.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1108 Chandler Ave, parcel no. 040.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 1108 Chandler Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June, 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$138.34 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1108 Chandler Ave, Parcel no. 040.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-09-06-24-1-000-040.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

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

ATTEST:

Russell A. Jones
City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 06/03/2020
To: Glenn Stephens
6037 Shadow Lakes Way
Lithonia, Ga. 30058

Property Address:
1108 Chandler Ave
Opelika Al. 36801
Parcel # 09-06-24-1-000-040.000

On May 5, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>125.00</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>138.34</u>

Attachment: WEED INVOICE - 1108 Chandler Ave (105-20 : Weed Abatement Assessment - 1108 Chandler Ave.)

RESOLUTION NO. 106-20

Weed Abatement Assesment - 514 Old Columbus Road.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
514 Old Columbus Rd., Parcel No. 010.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 514 Old Columbus Rd., parcel no. 010.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 514 Old Columbus Rd., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June , 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$605.59 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 514 Old Columbus Rd., Parcel no. 010.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-20-1-000-010.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

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

ATTEST:

Russell A. Jones
City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: June 3, 2020

**To: Phillip Ray Allen
64 Lee Rd 2093
Valley Al. 36854**

**Property Address:
514 Old Columbus Rd.
Opelika Al. 36801
Parcel # 10-04-20-1-000-010.000**

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>592.25</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>605.59</u>

Attachment: WEED INVOICE 514 Old Columbus Rd (106-20 : Weed Abatement Assessment - 514 Old Columbus Road.)

RESOLUTION NO. 107-20

Weed Abatement Assessment - 1109 Magnolia St.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
1109 Magnolia St, Parcel No. 022.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 1109 Magnolia St, parcel no. 022.000 has been removed as provided for and required by law: and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 1109 Magnolia St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June, 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$217.04 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 1109 Magnolia St, Parcel no. 022.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-18-2-001-022.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

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

ATTEST:

Russell A. Jones
City Clerk - City Treasurer

WEED ABATEMENT INVOICE

Date: 06/3/2020

**To: State of Alabama
PO Box 327210
Montgomery Al. 36132**

Property Address:
1109 Magnolia St
Opelika Al. 36801
Parcel # 10-04-18-2-001-022.000

On May 4, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement: 203.70

Certified mail: 13.34

Misc. _____

Total	<u>217.04</u>
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Attachment: WEED INVOICE 1109 Magnolia St (107-20 : Weed Abatement Assessment - 1109 Magnolia St.)

RESOLUTION NO. 108-20

Weed Abatement Assessment - 105 Vaughan Ave.

RESOLUTION NO. _____

**RESOLUTION FIXING AMOUNT OF ASSESSMENT
FOR WEED LIEN AGAINST PROPERTY LOCATED AT
105 Vaughan Ave, Parcel No. 077.000**

=====

WHEREAS, the weed nuisance growing upon or in front of the property located at 105 Vaughan Ave, parcel no. 077.000 has been removed as provided for and required by law; and

WHEREAS, the enforcing official has prepared and submitted to the City Council an itemized statement of the actual expenses incurred by the City for the abatement of the weed nuisance located at 105 Vaughan Avenue, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 16th day of June, 2020 at 7:00 p.m. in the Municipal Court Building of Opelika, Alabama was the date, time and place heretofore established by the City Council to hear and determine any objections or defenses which may be raised by any of the property owners liable to be assessed for the work of abating said weed nuisance; and

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

WHEREAS, the Council met at the designated time and place for the purpose of receiving and considering said statement of expenses and to pass upon all such objections to and protest against the proposed assessment for the work of abating said nuisance; and

WHEREAS, the President of the City Council presided over said public hearing and opened the floor for comments from the public and any persons interested in said assessment or the amount thereof; and

WHEREAS, the City Council has considered all evidence and other matters in relation to the proposed assessment and the members of the Council are of the opinion that the amount to be assessed against the property shall be in accordance with the amount shown on the statement of expenses heretofore delivered by the enforcing official to the City Council.

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

1. The itemized statement of expenses submitted by the enforcing official to the City Council is hereby affirmed.
2. The cost for abating such weed nuisance, in the amount of \$205.84 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 105 Vaughan Ave., Parcel no. 077.000 Opelika, Alabama. The cost stated in this Resolution shall constitute a lien on the above referenced property.
3. The tax identification number for said parcel(s) of land is 43-10-04-18-1-001-077.000 according to the records of the Revenue Commissioner of Lee County Alabama.
4. The Purchasing-Revenue Manager shall cause a certified copy of this Resolution assessing the cost of abatement to be filed for recording in the Office of the Judge of Probate of Lee County, Alabama, and shall forward a copy to the Lee County Revenue Commissioner. Upon filing, the Lee County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax, using all methods available for collecting ad valorem tax, and remit the amount to the City.

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

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

C. E. "Eddie" Smith Jr.

President of the City Council

City of Opelika, Alabama

ATTEST:

Russell A Jones

City Clerk - City Treasurer

WEED ABATEMENT INVOICE**Date: 06/3/2020****To: State of Alabama
PO Box 327210
Montgomery Al. 36132****Property Address:
105 Vaughn Ave
Opelika Al. 36801
Parcel # 10-04-18-1-001-077.000**

On March 18, 2020 in accordance with Opelika City Ordinance 110-12, a notice was sent informing the owner that of a weed violation at the above listed property address. After failing to correct the violation within the time specified in the notice, the City of Opelika abated the violation.

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

Cost of Abatement:	<u>192.50</u>
Certified mail:	<u>13.34</u>
Misc.	<u> </u>
Total	<u>205.84</u>

Attachment: WEED INVOICE 105 Vaughn Ave (108-20 : Weed Abatement Assessment - 105 Vaughn Ave.)

RESOLUTION NO. 109-20

Approve Rocky Brook Rd Culvert Change Order.

RESOLUTION NO. _____

**RESOLUTION APPROVING CHANGE ORDER NUMBER 1 TO THE CONTRACT
BETWEEN THE CITY OF OPELIKA AND HUDMON CONSTRUCTION COMPANY,
INC. FOR THE ROCKY BROOK ROAD CULVERT REPLACEMENT PROJECT**

WHEREAS, the City Council of the City of Opelika, Alabama previously approved a Contract dated as of February 4, 2020, by and between the City of Opelika, Alabama (the “City”) and Hudmon Construction Company, Inc for the Rocky Brook Road Culvert Replacement Project; and

WHEREAS, the City Engineer has advised that a storm drain system was discovered that needs to be connected to the new culvert; and

WHEREAS, the City Engineer has advised that the soil conditions around the culvert are not suitable to be placed back in the roadway, and that additional rock fill will be required to provide a structurally sound roadbed; and

WHEREAS, Change Order Number 1 to the Contract between the City and Hudmon Construction Company, Inc. have been submitted to the City Council for approval; and

WHEREAS, Change Order Number 1 will increase the total contract amount by an additional \$25,180.00, resulting in a new contract amount of \$391,582.00; and

WHEREAS, said Change Order is necessitated by unforeseen circumstances arising during the course of work for items not contemplated when the plans and specifications were prepared and bid, and the amount of the Change Order Number 1 does not exceed 10 percent of the contract price; and

WHEREAS, the City Engineer has reviewed all prices and found them to be reasonable, fair and equitable and recommends approval of Change Order Number 1; and

WHEREAS, the City Council endorses the statements, findings and recommendations of the City Engineer and hereby finds and determines that it is in the public interest to approve Change Order Number 1.

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

1. That Change Order Number 1 to the Contract dated February 4, 2020, between the City and Hudmon Construction Company, a copy of which Change Order is attached hereto and incorporated herein by reference as Exhibit “A”, is hereby approved.
2. That the Mayor is hereby authorized and directed to execute Change Order Number 1 in the name and on behalf of the City.
3. That the officers of the City and any person or persons designated and authorized by any officers of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do or cause to be done or performed in the name and on behalf of the City such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, certificates, assurances or other instruments or other communications under the seal of the City or otherwise, as they, or any of them deem necessary or advisable or appropriate in order to carry into effect the intent of the provisions of this Resolution and the attached Change Order Number 1.
4. That the amount of the Change Order shall be paid from the Unassigned Fund Balance.
5. That the Mayor and Controller are hereby authorized to make such budget adjustments and accounting entries as necessary to carry into effect the provisions of this Resolution and Change Order.
6. That this Resolution shall take effect upon its passage and adoption by the City Council.

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

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

ATTEST:

CITY CLERK

CITY OF OPELIKA

CHANGE ORDER

PURCHASE ORDER NUMBER 2002186 **CHANGE ORDER NUMBER** 1

DATE PO ISSUED 2/24/2020 **EFFECTIVE DATE OF CHANGE** 6/1/2020

BID NUMBER 20008 **ACCOUNT NUMBER** -09-9333-098-059

DEPARTMENT Engineering

VENDOR/CONTRACTOR

Hudmon Construction Company, Inc.
1900 Industrial Boulevard
Opelika, AL 36801

DESCRIPTION OF PROJECT AND REASON FOR CHANGE:

During the excavation of the existing culvert, a 36-in stormwater line was encountered and will need to be extended with an inlet to the stream. This pipe and culvert was not located in the original survey and design because it was not detected. The addition of a 48-in. drop inlet and 36-in concrete pipe will need to be added to the project.

Additional structure excavation and foundation backfill will need to be added to the contract because the soil under and around the proposed culvert was unsuitable for the proper foundation of the culvert. This is an unforeseen condition at the site that. The items proposed cost are listed below:

• 48-inch drop inlet	1 Each at \$6,900-----\$6,900
• 36-inch concrete pipe	60 LF at \$88.00-----\$5,280
• Structure Excavation	200 Tons at \$17..... \$3,400
• Foundation Backfill	200 Tons at \$48.....\$9,600
▪ TOTAL \$ 25,180	

The Engineering Department has reviewed these changes and find them fair and reasonable and within the original scope of the contract. These items will need to be added to the contract with this change so the water line installation and project can proceed.

ORIGINAL CONTRACT AMOUNT: \$366,402.00

CONTRACT AMOUNT PRIOR CHANGE: \$366,402.00

THIS INCREASE: \$25,180.00

THIS DECREASE: \$0

NEW CONTRACT AMOUNT: \$391,582.00

CHANGE APPROVED AND ADOPTED THIS _____ **DAY OF** _____, 2020

GARY FULLER
MAYOR

ORDINANCE NO. (ID # 4052)

Amend Towne Lake PUD Master Plan, Towne Lake Parkway - 2nd Reading.

ORDINANCE NO. _____

ORDINANCE TO AMEND THE DEVELOPMENT PLAN
FOR TOWNE LAKE SUBDIVISION PUD
(PHASE 5)

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

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

(a) W.S. Newell & Sons, Inc., heretofore submitted to the City a Development Plan for a planned unit development (“PUD”) entitled “Towne Lake Subdivision PUD” consisting of approximately 170.658 acres.

(b) Pursuant to Ordinance No. 100-00, the City Council approved said Development Plan for Towne Lake Subdivision PUD and amended the Official Zoning Map of the City to designate the zoning classification of Planned Unit Development (“PUD”) for approximately 170.658 acres located north of U.S. Highway No. 280 & 431 (Columbus Parkway), west of North Uniroyal Road and east of Interstate Highway No. 85.

(c) W.S. Newell & Sons, the owner of all of the property located within Phase 5 of Towne Lake Subdivision PUD, has heretofore submitted to the City a proposed amended Development Plan for Phase 5.

(e) Phase 5 of Towne Lake Subdivision PUD consists of approximately 59 acres and is located at the terminus of Bush Creek Road. The current development plan for Phase 5 as approved by the City Council consists of 17 commercial lots.

(f) The amended Development Plan for Phase 5 of Town Lake Subdivision PUD provides for 97 single-family residential lots and two commercial lots with access to Columbus Parkway. The minimum residential lot size will be 8,400 square feet. Phase 5 is located adjacent to existing single-family homes within Towne Lake Subdivision PUD of similar size and finished quality.

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

(h) The Planning Commission recommended approval of the amended Development Plan for Phase 5 of Towne Lake Subdivision PUD.

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

Section 2. Approval of Amended Development Plan. The amended Development Plan for Phase 5 of Towne Lake Subdivision PUD as submitted for review is hereby approved and confirmed as required by Section 8.18(n) of the Zoning Ordinance of the City.

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

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

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 4054)

Amend Cannon Gate PUD Master Plan - 2nd Reading.

ORDINANCE NO. _____

ORDINANCE TO AMEND THE DEVELOPMENT PLAN FOR CANNON GATE PUD
(PHASE III)

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

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

- (a) Mae’s Pasture, LLC heretofore submitted to the City a Development Plan for a planned unit development (“PUD”) entitled “Cannon Gate PUD” consisting of approximately 163.77 acres.
- (b) Pursuant to Ordinance No. 101-07, the City Council approved said Development Plan for Cannon Gate PUD and amended the Official Zoning Map of the City to designate the zoning classification of Planned Unit Development (“PUD”) for approximately 163.77 acres located on the west side of Oakbowery Road and north of Blackhawk Drive.
- (c) Cannon Timber & Land, LLC, the owner of all of the property located within Phase III of Cannon Gate PUD, has heretofore submitted to the City a proposed Amended Development Plan for Phase III.
- (d) Phase III of Cannon Gate PUD consists of approximately 64 acres and is located at the terminus of Live Oak Circle. The current Development Plan as approved by the City Council provides for the construction of approximately 67 single-family homes in Phase III.

(e) The Amended Development Plan for Phase III provides for 81 single-family residential lots and approximately 24.4 acres of open space. Lots will range in size from 10,358 square feet to 36,272 square feet. The overall density for the development is 1.25 units per acre. An amenity area will include a playground and pool. The residential units in Phase III will be of similar size and construction as those located in Phases I and II.

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

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

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

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

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

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

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 4061)

Amend Zoning Ord & Map: Rezoning, 6.6 Acres, Dale Avenue - 2nd Reading.

ORDINANCE NO. _____

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

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

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

From an R-5M District (High Density Residential District) to a C-3 District (General Commercial District), the parcel of land hereinafter described:

Commencing at the Northwest corner of the Northeast quarter of Section 15, Township 19 North, Range 26 East, run thence South 3 degrees 42 minutes East, a distance of 2317 feet to a point on the Southerly margin of Dale Avenue, which is the point of beginning of the property herein to be described. From said last mentioned beginning point, continue South 3 degrees 42 minutes East, a distance of 884 feet; run thence North 87 degrees, 44 minutes East, a distance of 266 feet to a point on the Westerly margin of King Lake Road; run thence North 29 degrees, 48 minutes East, along the Westerly margin of King Lake Road, a distance of 850 feet to the intersection of the Westerly margin of King Lake Road with the Southerly margin of Dale Avenue; run thence North 61 degrees, 35 minutes West, a distance of 660 feet along the Southerly margin of Dale Avenue to the point of beginning; said parcel contains 6.6 acres, more or less.

The above-described property is located at 3417 Dale Avenue, Opelika, Alabama.

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 4063)

Amend Zoning Ord & Map: Rezoning, 2.87 Acres, 1402 Fitzpatrick Avenue - 2nd Reading.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING

ORDINANCE AND ZONING MAP OF THE CITY OF OPELIKA

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

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

From an R-2 District (Low Density Residential District) to a C-2 District (Office/Retail District), the parcel of land hereinafter described:

Commence at a point at the intersection of the North right of way for Fitzpatrick Avenue and the West line of the East half of Section 12, Township 19 North, Range 26 East, Opelika, Lee County, Alabama, thence North $76^{\circ}41'$ East, 531.5 feet to a point in the North right of way of Fitzpatrick Avenue and the Southwest corner of the parcel of land to be rezoned and more fully described herein: from this POINT OF BEGINNING, thence leaving said right of way and follow the East line of part of Lot 9, Block 206, Tottens Map of Opelika North $01^{\circ}27'00''$ west, a distance of 212.29 feet; thence along the east line of Lot 1, Autumn Chase Subdivision North $00^{\circ}36'57''$ East, a distance of 165.95 feet; thence along the East line of the C C Torbert Jr property North $01^{\circ}03'10''$ East, a distance of 267.62 feet; thence along the North portion of this rezoning parcel South $88^{\circ}56'51''$ East, a distance of 183.76 feet to a point at the Northwest corner of Lot 2, Hunter Street Subdivision; thence along the West line of Lots 1 and 2, Hunter Street Subdivision South $00^{\circ}54'00''$ East, a distance of 200.00 feet; thence along the West line of Lots 3-B, 2-B, I-A, Rudd Subdivision South $02^{\circ}43'50''$ East, a distance of 416.29 feet to a point in the North right of way of Fitzpatrick Avenue; thence along the North right of way of Fitzpatrick Avenue South $80^{\circ}33'57''$ West, a distance of 53.98 feet to the beginning of a curve tangent to said

line; thence westerly an arc distance of 155.85 feet along the curve concave to the north, having a radius of 1538.30 feet and a chord of South 83°28'06" West, 155.79 feet to the point of beginning. Said parcel contains 2.87 acres, more or less.

The above-described property is located at 1402 Fitzpatrick Avenue, Opelika, Alabama.

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. (ID # 4104)

Amend Zoning Ord & Map: Rezoning, 0.7 Acres, 1813 Old Columbus Road - 2nd Reading.

ORDINANCE NO. _____

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

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

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

From an M-1 District (Industrial District) to an R-4 District (Medium Density Residential District), the parcel of land hereinafter described:

Commence at the southeast corner of Section 21, Township 19 North, Range 27 East in Lee County, Alabama; thence run West for 420.0 feet to the point of beginning of the parcel or tract of land here to be described and herein conveyed; from said point of beginning thence run North 79 deg. 40 min. West for 221.0 feet; thence run North 73 deg. 00 min. West for 237.5 feet; thence run South 01 deg. 50 min. East for 114.0 feet; thence run South 89 deg. 21 min. East for 441.5 feet to the said point of beginning; said parcel contains 0.7 acres, more or less.

The above-described property is located at 1813 Old Columbus Road, Opelika, Alabama.

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

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

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

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

ATTEST:

CITY CLERK

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

CITY CLERK

ACTION BY MAYOR

APPROVED this the ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK