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

1. Call to Order

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

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

3. Invocation

Tom Tippett provided the invocation.

    1. Tom Tippett with Church at Opelika.

4. Pledge of Allegiance

Jared Banks and Jacob Banks of Boy Scout Troop 858 led the Pledge of Allegiance.

    1. Jared Banks and Jacob Banks with Boy Scout Troop 858.

5. Reading of Minutes
    1. Minutes from the 07-07-20 Council Meeting.

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

6. Unfinished Business

7. Remarks By the Mayor
    1. June 2020 Monthly Building Report.

    Mayor Fuller asked Mr. Motley to give the June 2020 monthly building report and Mr. Motley did so.

    2. City's Financial Summary Report for June 2020.

    Mayor Fuller asked if the council had any questions about the city's financial summary report to ask Cindy Boyd, Mr. Motley or himself about it.

    3. Certificate of Retirement for Curtis "Bruno" Prince.

    Mayor Fuller invited Curtis "Bruno" Prince, and his wife Cindy, up to be presented a Certificate of Retirement. Mayor Fuller thanked Mr. Prince for his service as a city employee and chain gang worker for Auburn University and Opelika High School football games. Mayor Fuller read the certificate aloud and once again thanked Mr. Prince for his service.

8. Citizen Communications

Nelson Marsh of 505 1st Ave spoke about the city building a new library instead of renovating the existing library. Mr. Marsh expressed concern about the Jeter area being left behind and moving the library from where it currently is would be a further hindrance to the neighborhood. Mr. Marsh explained he lives in that neighborhood and it is by far the poorest in the city and will have not one city building after the library is moved. Mr. Marsh also asked the Mayor and council to consider fixing 6th Street and Columbus Pkwy as they are boundary roads and contain no crosswalks of any kind for residents to use. Finally Mr. Marsh asked how the old

library building would be used or if it would be sold after the new library is built because this would also impact the neighborhood.

9. Report of Disbursements

10. Committee Reports

11. General Business

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

1. Public Hearing - Weed Abatement Assessment - 808 Donald 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.

2. Public Hearing - Weed Abatement Assessment - 814 Donald 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.

3. Public Hearing - Weed Abatement Assessment - 411 S 4th St.

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.

4. Public Hearing - Weed Abatement Assessment - 504 S 4th St.

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 126-20 Southern Yellow Pine Wooden Utility Poles - OPS.

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

2. Bids 127-20 2020 Removal of Dead, Dying, or Dangerous Trees - ENG.

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

3. Bids 128-20 Opelika Public Library - LIB.

Ms. Pitts voiced her concern over what would go in the old library or if it would be demolished. Ms. Pitts also stated she agreed with the council but would like for the council or city administration to consider making that building a senior center and/or possibly a space for non-profit companies to meet due to the Jeter area having no city buildings. Ms. Pitts asked if the building is sold, would that be a vote for the council or would the administration decide itself. Mr. Gunter explained that any property that is disposed of by the city requires an ordinance that has to be passed by the city council.

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

13. Resolutions

President Smith asked Mr. Gunter to present the resolutions.

1. Resolution 129-20 Designate City Personal Property Surplus & Authorize Disposal.

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

2. Resolution 130-20 Agreement with L.P. Campbell Co. for Professional Grant Writing Services.

Ms. Pitts asked if the group would be responsible for writing all grants. President Smith explained that there are other groups helping the city with other grants as well. Mr. Gunter stated that this particular group helps engineering with a lot of their state grants. Ms. Jones asked if this was the same person that the city has been using for these grants. President Smith answered yes and Mr. Gunter stated we have had a contract with them for the last ten years or so.

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

3. Resolution 131-20 Agreement with ADEM for Recycling Fund Grant - OES.

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

4. Resolution 132-20 Approve Professional Services Agreement with City of Auburn.

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

5. Resolution 133-20 Approve Change Order for Covington Rec Center Project - P&R.

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

6. Resolution 134-20 Weed Abatement Assessment - 808 Donald Ave.

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

7. Resolution 135-20 Weed Abatement Assessment - 814 Donald Ave.

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

8. Resolution 136-20 Weed Abatement Assessment - 411 S 4th St.

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

9. Resolution 137-20 Weed Abatement Assessment - 504 S 4th St.

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

10. Resolution 138-20 Adjust Compensation for the Public Defender.

Mr. Canon wanted to confirm there were no benefits associated with the position. Mr. Gunter confirmed.

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

11. Resolution 139-20 Approve Special Appropriation to EAMC Foundation.

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

12. Resolution 140-20 Appoint City Clerk as the City Election & Absentee Manager.

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

13. Resolution 141-20 Approve Budget for New Opelika Public Library - LIB.

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

14. Resolution 142-20 Amend Agreement with CDG Engineers and Associates for N. Uniroyal Rd. Bridge Design

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

15. Resolution 143-20 Approve Memorandum of Understanding between the City of Opelika and Envision Foundation as Sponsor of Creekline Trails of Opelika.

Ms. Pitts asked if the city is committing to this plan now, why not commit any more money to the Carver/Jeter plan as well. President Smith asked Mr. Gunter to clarify the question. Mr. Gunter stated that her question was if any money would be appropriated to the Carver/Jeter plan. Ms. Pitts again stated if we are supporting another plan why not the Carver/Jeter plan as well. President Smith explained that they could ask the Mayor to take a look at the Carver/Jeter plan and see if they could come up with something for it in the budget. Mr. Canon asked if they could send out a current copy of the Carver/Jeter plan that has been on the shelf for a while now. Ms. Pitts stated the Carver/Jeter plan is available on the website. Ms. Jones then stated the Carver/Jeter plan is not being neglected or dormant because the ongoing renovation of Covington is part of that plan. Ms. Pitts asked about Jeter though. Ms. Jones stated there are things in the plan for that area. Ms. Jones explained since the plan was introduced by herself in 1995, many things have come from the plan including lots of renovations to the downtown area. Ms. Jones also stated the plan has not been on the shelf completely, it just may not have been worked on as aggressively as they would like to have seen recently. Ms Jones also explained they would never say they don't want the plan to continue because there is a need for it to be implemented in wards 1 and 2 and they can all agree those are the two areas that need the most improvement. Ms. Jones ended by saying she does not want anyone to think the Carver/Jeter plan is not being worked, it just may not be being worked as fast as some would like for it to be.

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

16. Resolution 144-20 Declare Election of Officer without Opposition.

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

17. Resolution 145-20 Appoint Nick Abbett as Assistant Municipal Prosecutor.

Ms. Pitts asked what was the urgency for filling this replacement. President Smith answered that there is no one in that role due to the resignation currently leaving only one prosecutor and the municipal court docket is already backed up due to the pandemic. Ms. Pitts then voiced her concern with the lack of transparency with the replacement due to the resignation being given at the end of the previous week and to now have a replacement decided on and not giving any other attorneys an opportunity to apply for the opening. Ms. Pitts stated she believes they should have opened this up completely for others instead of going to just one person and deciding without giving other city of Opelika attorneys an opportunity if they may be interested. Ms. Pitts also stated she doesn't know Mr. Abbett and doesn't have anything against him, but she does think that other attorneys should have been made aware of the opening and given an opportunity as well.

RESULT:	**APPROVED [4 TO 1]**
MOVER:	David Canon, Council Member
SECONDER:	Dozier Smith T, Council Member
AYES:	Patricia Jones, Dozier Smith T, David Canon, Eddie Smith
NAYS:	Tiffany Gibson-Pitts

14. Ordinances

President Smith asked Mr. Gunter to present the ordinances.

1. Ordinance 016-20-ORD Amend Zoning & Ord Map: Rezoning, 25.7 Acres, Corner of Waverly Pkwy and Veterans Pkwy - 2nd Reading.

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

2. Ordinance 017-20-ORD Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.

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

15. Appointments

16. Adjourn

The City Council meeting minutes of July 21, 2020 are hereby adopted and approved this the 4th day of August, 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 - Courage, the qualityof mind or spirit that enables a person to face difficulty, pain or danger without fear.

President Smith read the character trait of the month and asked if there was any other business that needed to come before the council.

2. Motion to Adjourn.

The council meeting ended at 7:37 pm.

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

City Council
204 South 7Th Street
Opelika, AL

ADOPTED

Meeting: 07/21/20 07:00 PM
Department: City Clerk
Category: CM Minutes
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4150

CM MINUTES (ID # 4150)

Minutes from the 07-07-20 Council Meeting.

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

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

1. Call to Order

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

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

3. Invocation

Cathy Newkirk provided the invocation.

    1. Cathy Newkirk from New Life Christian Center.

4. Pledge of Allegiance

Anna Aja and Molly Barnes of Girl Scout Troop 7238 led the Pledge of Allegiance.

    1. Anna Aja and Molly Barnes from Girl Scout Troop 7238.

5. Reading of Minutes
    1. Minutes from the 06-16-20 Council Meeting.

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

6. Unfinished Business

7. Remarks By the Mayor

Mayor Fuller first reminded everyone of the 15th annual Alabama sales tax holiday for school related items that starts on Friday, July 17 and ends on Sunday, July 19, 2020. Mayor Fuller then asked for everyone's help with raising awareness for wearing masks in public due to the COVID-19 numbers increasing again. Mayor Fuller stated he and the council do not want to mandate mask wearing in public but if the numbers of infected and hospitalizations keep climbing, they may have to do so.

    1. Presentation of Resolution honoring Anne M. Grady.

    Mayor Fuller invited President Pro-Tem Jones, Barbara Patton and Dr. Grady up to honor former City Council President Anne M. Grady. Barbara Patton, the first female Mayor of Opelika, spoke first about her time with Mrs. Grady including being the City Council President during her first term as Mayor of Opelika. Mayor Patton listed all of their many accomplishments together and also described Mrs. Grady as a great leader of not only the city council but of many other organizations as well. President Pro-Tem Jones, the first female African-American and longest serving council person for the city of Opelika, spoke next about her time with Mrs. Grady starting in 1995. Ms. Jones recalled Mrs. Grady taking her to her first league convention and how influential Mrs. Grady was for her personally when she first began serving on the city council. Ms. Jones also mentioned, at her recommendation and under Mrs. Grady's leadership, they were able to pass the Carver/Jeter plan to better serve those areas and also how Mrs. Grady was a great friend and mentor to her for many years. Ms. Jones also explained how she started a team of all

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

female elected officials for Relay for Life walks and how Mrs. Grady always participated and how much that meant to her. Mayor Fuller then explained how Mrs. Grady was on the AMEA board when he was on the council and she ended up taking him to a board meeting with her. Mayor Fuller stated had no idea what they were talking about but she did and she passed that on to him and now he is the chairman of the AMEA board. Mayor Fuller then thanked Dr. Grady for his wife and her service and read the resolution aloud. Dr. Grady spoke lastly and shared a story about his wife and thanked the Mayor and council for the resolution and portrait of his wife being presented to him.

8. Citizen Communications

Kenny Frazier of 2502 Stonybrook Rd spoke first. Mr. Frazier voiced his concerns about the spread of COVID-19 and how he believes it is time for the city to mandate the use of masks in public. Mr. Frazier explained he believes if left up to the public to wear masks the situation will not improve and in his opinion the city should go ahead and mandate the use of masks in public.

William Bowhall of 2016 Old Lafayette Hwy spoke next. Mr. Bowhall explained how he has had no luck getting any representation and how corrupt our government system is currently toward low income individuals. Mr. Bowhall went on to explain about ten years ago he was so frustrated with this that he filed nine different federal lawsuits against multiple agencies, companies and individuals and was still denied legal representation. Mr. Bowhall asked for the help of the council to find a way for him to get some type of political or legal representation so that he can get his ideas out there instead of being ignored like he always has been.

Ali Rauch of 1903 Arbor Ln spoke last. Mrs. Rauch formally introduced herself to the council as the new President of the Opelika Chamber of Commerce. Mrs. Rauch thanked the council for their continued support of the chamber and stated that she is looking forward to working with them going forward.

9. Report of Disbursements

10. Committee Reports

11. General Business

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

1. Request Alcohol License - RS Brown Enterprises LLC. DBA Whistle Stop AB Wine and Beer On and Off Premise.

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

2. Public Hearing - Rezoning, 25.7 Acres, Corner of Waverly Pkwy and Veterans Pkwy.

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.

3. Public Hearing - Weed Abatement Assessment - 9 Avenue B.

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.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

4. Public Hearing - Weed Abatement Assessment - Williamson 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 weed abatement. No one came forward to speak. President Smith closed the public hearing.

5. Public Hearing - Weed Abatement Assessment - 3307 Arnold 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 weed abatement. No one came forward to speak. President Smith closed the public hearing.

6. Public Hearing - Weed Abatement Assessment - 509 1st 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 110-20 Contract with South Dade Air Conditioning and Refrigeration Inc. for 2020 City Wide ADA Improvements Project.

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

13. Resolutions

President Smith asked Mr. Gunter to present the resolutions.

1. Resolution 111-20 Resolution Honoring Mrs. Anne M. Grady.

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

2. Resolution 112-20 Purchase - School Safety Signals - Sole Source - PW.

Mr. Smith T asked what the signs would look like exactly. President Smith explained they would be the signs that flash and tell how fast you are going at that time in the school zone. President Smith then thanked Mike Hilyer and ESG for taking on the installation of these at all of the schools and how much money it would save the city by them doing it themselves.

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

3. Resolution 113-20 Purchase - Fortinet Security Device Maintenance - Natl IPA Contr #2018011-01-IT.

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

4. Resolution 114-20 Purchase - Cisco Camera System for Sportsplex - Natl IPA Contr #2018011-01-IT.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

Mr. Canon asked if this was replacing a system we already have. President Smith explained it is an upgrade to the current system. President Smith asked Stephen Dawe, Chief Technology Officer, to confirm that and he did confirm it is an upgrade.

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

5. Resolution 115-20 Accept Proposal from Ai-Media for Real Time Closed Captioning and Post Transcription Services.

Mr. Smith T asked what post transcription was exactly. Mr. Gunter explained the company would type up what is said during the meeting. Mr. Smith T asked if we would have the transcript and the minutes as well. Mr. Gunter stated it would be available to help with recording the minutes. Ms. Pitts asked what is used now to record the minutes. Mr. Jones answered saying he uses the recording of the meeting on the YouTube channel to generate the minutes. Mr. Jones also explained to Mr. Smith T about the post transcription being previously recorded meetings being sent to the company for transcription services to be added at a later date instead of live transcription that would be used for council meetings.

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

6. Resolution 116-20 Accept Proposal from Tyler Technologies for Cyber Security Assessment and Plan - IT.

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

7. Resolution 117-20 Weed Abatement Assessment - 9 Avenue B.

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

8. Resolution 118-20 Weed Abatement Assessment - Williamson Avenue.

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

9. Resolution 119-20 Weed Abatement Assessment - 3307 Arnold Avenue.

President Smith asked if this was also the property we removed a building from. Mr. Gunter answered yes he believed that is correct. Mr. Canon made a request to look into some of these same properties that keep coming before council and get a total of how much has been spent on these repeat properties to make sure we aren't spending more than the property is worth.

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

10. Resolution 120-20 Weed Abatement Assessment - 509 1st Ave.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

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

11. Resolution 121-20 Approve Contract with Seely & Long Assoc. Inc. for Grant Administration Services.

Ms. Pitts asked if the community support worker listed in the contract would be a licensed counselor. President Smith answered that they would be a licensed counselor and that we have been awarded this grant, and are also in the process of applying for another $300,000 grant that would expand this program. President Smith went on to explain that the administrators of the grant would be bringing in mental health workers and also working with Judge Fellows in this program as well. Mayor Fuller stated he met with Pastor Skip Long previously that day and is encouraged by them working with Dr. Seymore, Judge Fellows and probation officers on this project.

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

12. Resolution 122-20 Retain Riley & Jackson, P.C. for Litigation Against Manufacturers and Distributors of Opioids.

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

13. Resolution 123-20 Resolution Relating to Street Lighting - OPS.

Mr. Canon asked if the city is receiving any monies from the other power companies that operate in the city limits besides Opelika Power Services. Mayor Fuller answered by saying they have to pay attachment fees to the city. Ms. Jones asked Mr. Gunter when the director of Opelika Power Services negotiates with the other power companies, is it only the six areas Mr. Gunter described. Mr. Gunter answered that all of the documents the director would be authorized to sign and all the locations would be located in the city limits but they are outside the service areas of Opelika Power Services. Mr. Gunter explained that all the areas in question were annexed at some point into the corporate city limits after 1984 and they all need street lights even though they are supplied power from either Alabama Power or Tallapoosa River Electric Cooperative. President Smith gave an example of Northeast Industrial Park having all 3 power companies supplying power in that area. Mr. Gunter also mentioned this came up recently with the new subdivision of Hidden Lakes as well because it is supplied power by Alabama Power Company and Opelika Power Services has to have a contract with them to pay for the services of the street lights in that area too. Mayor Fuller also gave a couple of examples of different places that also have this issue and he agreed with Mr. Gunter about recommending passage of the resolution to let Derek Lee, director of Opelika Power Services, handle all these negotiations. Ms. Pitts also added that Towne Lakes, where she lives, also is serviced by Alabama Power.

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

14. Resolution 124-20 Approve Geneva Street Project Change Order - Eng.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

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

15. Resolution 125-20 Vacate Sanitary Sewer Easement

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

14. Ordinances

President Smith asked Mr. Gunter to present the ordinances.

1. Ordinance 011-20-ORD Amend Towne Lake PUD Master Plan, Towne Lake Parkway - 2nd Reading.

Ms. Pitts asked Planning Director Matt Mosley a question about the size of the new development properties being smaller and how that would affect property values. Mr. Mosley explained that the property size would be smaller but the difference in size is actually very comparable to what is currently there now. Mr. Mosley also mentioned that the sizes of the homes to be built on the properties would also be similar in size so there most likely would not be a huge difference in property values.

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

2. Ordinance 012-20-ORD Amend Cannon Gate PUD Master Plan - 2nd Reading.

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

3. Ordinance 013-20-ORD Amend Zoning Ord & Map: Rezoning, 6.6 Acres, Dale Avenue - 2nd Reading.

Ms. Jones asked if the C-3 zoning automatically comes with the conditional use. Mr. Mosley explained the types of uses that are with a C-3 zoning. Ms. Jones said that she knows with C-3 there can be things that are not as pleasing for neighborhoods. Mr. Mosley answered by saying that most of the time these zonings come with additional bufferings due to conditional uses that would impact neighboring properties.

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

4. Ordinance 014-20-ORD Amend Zoning Ord & Map: Rezoning, 2.87 Acres, 1402 Fitzpatrick Avenue - 2nd Reading.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

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

5. Ordinance 015-20-ORD Amend Zoning Ord & Map: Rezoning, 0.7 Acres, 1813 Old Columbus Road - 2nd Reading.

Mr. Canon asked if this was the one with the discrepancy between two lots in the subdivision. President Smith said this was a single family residence that wanted to be rezoned. Mr. Mosley confirmed the rezoning for the single family home was requested by the property owner in case he wanted to ever sell the property it would be zoned correctly for resale.

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

6. Ordinance Amend Zoning & Ord Map: Rezoning, 25.7 Acres, Corner of Waverly Pkwy and Veterans Pkwy - 1st Reading.

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

RESULT:	**FIRST READING INTRODUCED**

7. Ordinance Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 1st Reading.

Ms. Jones introduced this ordinance for a first reading.

RESULT:	**FIRST READING INTRODUCED**

15. Appointments

16. Adjourn

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

_____

President of City Council

City of Opelika, Alabama

ATTEST:

_____

Russell A. Jones

City Clerk - Treasurer

1. Character Trait of the Month - Courage, the quality of mind or spirit that enables a person to face difficulty, pain or danger without fear.

Attachment: CM minutes from 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

President Smith read the character trait of the month and asked if there was any other business that needed to come before the council. Ms. Pitts asked City Engineer Scott Parker about ALDOT possibly adding a traffic signal near Southview Elementary School and the status. Mr. Parker stated there is no status at this time and that ALDOT requested the city do a traffic study there and that was right before the schools were shut down due to COVID-19. Mr. Parker also stated when the schools open back up, they will do the traffic study and make recommendations at that time. Ms. Pitts stated in her first year on the council, she thought she remembered a traffic study being done at that intersection. Mr. Parker confirmed there was a study done then and ALDOT requested more from them to approve a traffic signal there and the city has been following their requests but they have not been able to complete the process yet. Ms. Pitts also asked Mr. Parker about the sidewalk in front of the high school and the plan for them to be able to cross the street there at the intersection. Mr. Parker confirmed this is part of the plan there, and there is funding for it in the roadway improvements project this year and they need to coordinate with ALDOT to finish. Mr. Canon asked if it only pertained to the crossing of the highway or if it also included the sidewalk parallel to the highway. Mr. Parker stated there is an existing sidewalk parallel and it will only be for crossing the street. Ms. Pitts then asked if there was an update on the re-painting of the utility polls on S. 4th St. City Administrator Joey Motley stated they are still waiting on the contractor and the polls have to be completely dry and it's a scheduling issue, but if they can't do it they will find someone else who can.

2. Motion to Adjourn

The council meeting ended at 8:05 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 7-7-20 (4150 : Minutes from the 07-07-20 Council Meeting.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 07/21/20 07:00 PM
Department: Building Inspection
Category: Building Permit Report.
Prepared By: BJ Lowery
Initiator: Jeff Kappelman
Sponsors:
DOC ID: 4155

MAYOR'S REMARKS (ID # 4155)

June 2020 Monthly Building Report.

COMMENTS - Current Meeting:

Mayor Fuller asked Mr. Motley to give the June 2020 monthly building report and Mr. Motley did so.

CITY OF
OPELIKA
alabama

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

Monthly Permits For June, 2020

Work & Repair On Buildings:

Building Repairs	Commercial	Residential
Buildings Condemned	0	0
Buildings Demolished	0	0
Building Repairs	5	18
Plumbing Upgrades	0	1
Electrical Upgrades	1	7
Mechanical Upgrades	0	6
Reroofs And Roof Repairs	0	3
Mobile Home Services	0	7
Building Additions/Accessory Structures	0	5

Monthly Totals For June 2010-2019

2010	$15,454,374.00
2011	$2,746,405.00
2012	$2,019,998.00
2013	$9,059,891.00
2014	$4,340,584.00
2015	$12,019,990.00
2016	$13,921,378.00
2017	$10,392,836.00
2018	$5,854,755.20
2019	$69,831,966.08

Total Permits Issued:

2	New Buildings: Commercial	$985,033.20
3	Commercial Renovations And Repairs	$13,771,000.00
1	Signs	$13,000.00
23	New Single Family Homes	$5,576,845.60
17	Residential Repairs And Renovations	$584,736.00
	New Apartment Units	
	New Duplex Residences	
	Total Building Permits Issued	

46	Total Permits Issued For June, 2020	**$20,930,614.80**

TAKEN FROM THE RECORDS OF THE
BUILDING INSPECTOR

Jeff Kappelman
Chief Building Inspector

CITY OF OPELIKA alabama

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

Fiscal Year To Date Report - 2020

Building Repairs	Commercial	Residential
Buildings Condemned	0	2
Buildings Demolished	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:

8	New Buildings: Commercial	$14,579,090.20
47	Commercial Renovations And Repairs	$24,378,682.00
20	Signs	$93,041.00
252	New Single Family Homes	$65,039,059.69
113	Residential Repairs And Renovations	$3,318,762.20
5	New Apartment Units	$774,989.00
0	New Duplex Residences	$0.00
66	Total Building Permits Issued	$10,149,659.70

511	Permit Total Issued for FY 2020	$108,183,624.09

JEFF KAPPELMAN
Chief Building Inspector

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

Issue Date	Main Address	Company	Work Class	Valuation
6/1/2020	2200 WESTPOINT PKWY	Dahlhauser Group LLC	Service Stations & Repair Garag	$ 1,248,000.00
6/1/2020	2006 CANNON GATE DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 265,569.00
6/1/2020	2 BUCKHEAD LN	HOLLAND HOMES LLC	Alteration	$ 75,000.00
6/1/2020	2750 ENTERPRISE DR	STEWART/PERRY CO INC, THE	New	$ 270,033.20
6/2/2020	3001 HICKORY LN	MCGUIRES BUILDINGS	Accessory Buildings	$ 24,054.00
6/3/2020	3902 PEPPERELL PKWY	SCOTT SERVICES COMPANY	Signs	$ 13,000.00
6/3/2020	3013 SOCIETY HILL RD	A TO Z POOLS	Swimming Pool	$ 16,800.00
6/3/2020	3171 EAGLE TRL	CONNER BROTHERS CONSTRUCTI	New Single Family Detached	$ 193,333.00
6/3/2020	502 MCKINLEY LN	Donald Flournoy	Accessory Buildings	$ 1,000.00
6/3/2020	2751 MILL LAKES RDG	CLAYTON PROPERTIES GROUP IN	New Single Family Detached	$ 223,640.00
6/9/2020	1885 BATON CT	STONE MARTIN BUILDERS	New Single Family Detached	$ 212,640.00
6/9/2020	821 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 389,991.00
6/9/2020	1850 BATON CT	STONE MARTIN BUILDERS	New Single Family Detached	$ 226,172.60
6/9/2020	1772 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 259,821.00
6/9/2020	1873 BATON CT	STONE MARTIN BUILDERS	New Single Family Detached	$ 187,976.00
6/9/2020	841 ASTER LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 187,976.00
6/10/2020	901 LAKE CONDY RD	Chunmei Zhang	Alteration	$ 30,000.00
6/11/2020	600 WINSTON ST	DOUG HORN ROOFING	Roofs	$ 5,250.00
6/11/2020	1187 WILLOW VIEW DR	Dennis Hanson	New Single Family Detached	$ 304,242.00
6/15/2020	602 OVERLOOK DR	PYTHOGE LLC	Alteration	$ 180,000.00
6/16/2020	1904 ROCKY BROOK RD	Terri Peters	Porches	$ 5,000.00
6/16/2020	202 LANCELOT LN	Adams Nicholson	Decks	$ 4,000.00
6/17/2020	1009 RENFRO AVE	J MANIFOLD CONSTRUCTION	New Single Family Detached	$ 175,962.00
6/18/2020	2703 HEATHER PL	BUILDERS PROFESSIONAL GRP LL	New Single Family Detached	$ 221,150.00
6/18/2020	2460 INTERSTATE DR	MOORES CONSTRUCTION	New	$ 715,000.00
6/18/2020	600 CAR TECH DR	MARSHALL DESIGN BUILD LLC	Addition	$ 11,000,000.00

Attachment: June 2020 Monthly Building Report (4155 : June 2020 Monthly Building Report.)

6/19/2020	303 N 8TH ST	DOUG HORN ROOFING	Roofs	$ 10,000.00
6/19/2020	600 N 9TH ST	DOUG HORN ROOFING	Roofs	$ 8,500.00
6/19/2020	701 4TH AVE	AJH CONSTRUCTION LLC	New Single Family Detached	$ 205,206.00
6/22/2020	2905 STONYBROOK RD	BACKYARD EXPERIENCE, THE	Swimming Pool	$ 72,500.00
6/22/2020	1101 BLACKHAWK DR	BACKYARD EXPERIENCE, THE	Swimming Pool	$ 97,570.00
6/23/2020	1724 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 306,238.00
6/23/2020	319 SAMFORD AVE	SCF BUILDING A&O LLC	Accessory Buildings	$ 3,052.00
6/23/2020	1937 CANNON GATE DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 331,403.00
6/23/2020	849 ASTER LN	STONE MARTIN BUILDERS	New Single Family Detached	$ 212,640.00
6/23/2020	3424 LAKESHORE DR DR	TOLAND CONSTRUCTION LLC	New Single Family Detached	$ 246,162.00
6/23/2020	3405 LAKESHORE DR DR	TOLAND CONSTRUCTION LLC	New Single Family Detached	$ 260,050.00
6/23/2020	1727 MORNING GLORY DR	STONE MARTIN BUILDERS	New Single Family Detached	$ 228,578.00
6/24/2020	667 OWENS WAY	OUTDOOR CONCEPTS LLC	Addition	$ 39,585.00
6/25/2020	13 N 8TH ST	STONE MARTIN BUILDERS	Alteration	$ 250,000.00
6/25/2020	707 GENEVA ST	Carlton Clifton	Alteration	$ 5,000.00
6/26/2020	2411 EDWARDS RD	Christine Mitchell	Accessory Buildings	$ 2,870.00
6/29/2020	2201 ENTERPRISE DR	J A LETT CONSTRUCTION CO	Alteration	$ 1,273,000.00
6/29/2020	1055 SKI SPRAY PT	HARPER HOMES, INC	New Single Family Detached	$ 328,750.00
6/30/2020	1618 CREEKSTONE DR	EDGAR HUGHSTON BUILDER INC	New Single Family Detached	$ 262,552.00
6/30/2020	3165 EAGLE TRL	CONNER BROTHERS CONSTRUCTI	New Single Family Detached	$ 184,964.00
6/30/2020	3398 EAGLE TRL	CONNER BROTHERS CONSTRUCTI	New Single Family Detached	$ 161,830.00
6/30/2020	2516 S UNIROYAL RD	Parnaham Ballard	Accessory Buildings	$ 4,555.00
				$ 20,930,614.80

Jeff Kappelman, Chief Building Inspector

Attachment: June 2020 Monthly Building Report (4155 : June 2020 Monthly Building Report.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 07/21/20 07:00 PM
Department: City Clerk
Category: Financial Statements
Prepared By: Russell Jones
Initiator: Russell Jones
Sponsors:
DOC ID: 4167

MAYOR'S REMARKS (ID # 4167)

City's Financial Summary Report for June 2020.

COMMENTS - Current Meeting:

Mayor Fuller asked if the council had any questions about the city's financial summary report to ask Cindy Boyd, Mr. Motley or himself about it.

PRELIMINARY

City of Opelika
Combined Balance Sheet - All Funds and Account Groups (Interim Report)
June 30, 2020
Thousands of dollars

	Governmental Funds									
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	Internal Service Funds	Enterprise Funds	General Capital Assets	General Long Term Debt	Total
ASSETS										
Cash	$ 35,688	$ 14,408	$ 37	$ 1,017	$ -	$ 4,532	$ 42,526	$ -	$ -	$ 98,208
Certificates of deposit	21,987	5,000	-	-	-	-	8,529	-	-	35,516
Receivables:										
Accounts and unbilled service	-	-	-	180	-	-	4,934	-	-	5,114
Taxes	7,348	8,105	-	-	-	-	-	-	-	15,453
Licenses and fees	3,006	-	-	-	-	-	-	-	-	3,006
Fines and forfeitures	-	-	-	-	-	-	-	-	-	-
Assessments	193	-	-	-	-	-	-	-	-	193
Interest	(248)	-	-	-	3	-	2	-	-	(243)
Other	281	653	-	-	-	(1)	-	-	-	933
Due from other funds	25	-	-	-	7	-	8,464	-	-	8,496
Due from other governments	2,999	105	-	-	-	-	994	-	-	4,098
Inventories of supplies, at cost	123	-	-	-	-	-	1,215	-	-	1,338
Prepaid expenses	459	-	-	-	-	-	-	-	-	459
Investments	-	14	-	-	1,229	-	-	-	-	1,243
Investments with fiscal agent	-	-	1,200	-	-	-	802	-	-	2,002
Capital assets:										
Land	-	-	-	-	-	-	2,462	10,368	-	12,830
Buildings	-	-	-	-	-	-	13,666	45,437	-	59,103
Equipment	-	-	-	-	-	-	11,913	24,080	-	35,993
Utility systems	-	-	-	-	-	-	117,415	-	-	117,415
Infrastructure	-	-	-	-	-	-	-	119,600	-	119,600
Construction in progress	-	-	-	-	-	-	249	22,019	-	22,268
Total capital assets	-	-	-	-	-	-	145,705	221,504	-	367,209
Less: accumulated depreciation	-	-	-	-	-	-	(71,958)	(66,201)		(138,159)
Capital assets, net	-	-	-	-	-	-	73,747	155,303	-	229,050
Deposits	-	69	-	-	-	19	146	-	-	234
Amount to be provided for general long term debt									86,747	86,747
Total assets	71,860	28,354	1,237	1,197	1,239	4,550	141,359	155,303	86,747	491,845
DEFERRED OUTFLOWS OF RESOURCES										
Employer retirement contributions	-	-	-	-	-	-	1,528	-	-	1,528
Difference on projected OPEB earnings investments	-	-	-	-	-	-	638	-	-	638
Bond refunding costs	-	-	-	-	-	-	2,419	-	-	2,419
Total deferred outflows of resources	-	-	-	-	-	-	4,585	-	-	4,585

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

City of Opelika
Combined Balance Sheet - All Funds and Account Groups (Interim Report)
June 30, 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	755	121	-	1	-	122	11,491	-	-	12,490
Interest payable	-	-	-	-	-	-	351	-	-	351
Accrued payroll and benefits, due within one year	114	-	-	-	-	-	157	-	-	271
Due to other funds	7	25	-	-	-	-	8,464	-	-	8,496
Due to other governments	25	82	-	-	-	-	-	-	-	107
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	-	-	-	-	-	-	28,341	-	86,747	115,088
Net pension liability	-	-	-	-	-	-	8,828	-	-	8,828
Accrued payroll & benefits, due in more than one year	-	-	-	-	-	-	1,545	-	-	1,545
Customer deposits held	-	-	-	-	-	-	3,155	-	-	3,155
Total liabilities	901	228	-	1	-	570	62,921	-	86,747	151,368
DEFERRED INFLOWS OF RESOURCES										
Net difference in earnings on retirement plan	-	-	-	-	-	-	418	-	-	418
Net change in OPEB assumptions	-	-	-	-	-	-	37	-	-	37
Unearned revenues	4,186	8,640	-	-	-	355	249	-	-	13,430
Total deferred inflows of resources	4,186	8,640	-	-	-	355	705	-	-	13,886
FUND BALANCES										
Nonspendable	123	69	-	-	1,230	-	-	-	-	1,422
Restricted	217	6,138	1,237	1,196	-	612	802	-	-	10,202
Committed	35	-	-	-	-	-	-	-	-	35
Assigned	19,482	12,705	-	-	-	3,013	-	-	-	35,200
Unassigned	36,364	(18)	(1)	-	9	-	-	-	-	36,354
Invested in capital assets, net of related debt	-	-	-	-	-	-	47,235	155,303	-	202,538
Unrestricted	-	-	-	-	-	-	31,989	-	-	31,989
Encumbrances	10,553	591	-	-	-	-	2,293	-	-	13,437
Total fund balances	66,773	19,486	1,237	1,196	1,239	3,625	82,318	155,303	-	331,177

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

City of Opelika
Combined Statement of Revenues, Expenditures, and Changes in Fund Balance - All Governmental Funds and Account Groups (Interim
FYTD June 30, 2020
Thousands of dollars

	Governmental Funds					
	General Fund	Special Revenue Funds	Debt Service Funds	Capital Project Funds	Garden Hills Cemetery Permanent Fund	Total
REVENUES:						
Taxes	$ 30,470	$ 8,284	$ -	$ -	$ -	$ 38,754
Special assessments	-	-	-	-	-	-
Licenses and permits	14,551	285	-	-	-	14,837
Intergovernmental	378	1,264	-	65	-	1,707
Charges for services	1,295	-	-	-	-	1,295
Fines and forfeits	224	-	-	-	-	224
Grants	13	-	-	-	-	13
Contributions	127	12	-	-	-	139
Investment income	453	102	4	4	14	577
Miscellaneous	358	4	-	-	-	362
Total revenues	47,868	9,951	4	69	14	57,908
EXPENDITURES:						
General government	5,545	182	-	-	6	5,733
Public safety	12,794	479	-	-	-	13,274
Public works	4,124	1	-	-	-	4,125
Health	285	-	-	-	-	285
Education	2,484	7,000	-	-	-	9,484
Welfare	94	-	-	-	-	94
Culture and recreation	4,445	-	-	-	-	4,445
Economic development	738	162	-	-	-	900
Capital outlay	8,250	38	-	143	-	8,431
Debt service:						
Principal retirement	-	-	5,965	-	-	5,965
Interest and fees	-	-	3,544	-	-	3,545
Total expenditures	38,759	7,862	9,509	143	6	56,280
Excess of revenues over/(under) expenditures	9,110	2,089	(9,506)	(74)	8	1,628
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	18	-	-	-	-	18
Transfers from other funds	2,267	2,644	6,410	44	21	11,386
Transfers to other funds	(8,020)	(2,352)	-	-	(21)	(10,392)
Total other financing sources/(uses)	(5,735)	292	10,703	44	-	5,306
Net change in fund balances	3,375	2,381	1,198	(30)	8	6,934
Fund balances, beginning of the year	63,398	17,105	37	1,225	1,230	82,996
Fund balances, end of period	$ 66,773	$ 19,486	$ 1,236	$ 1,196	$ 1,239	$ 89,930

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

City of Opelika
Combined Balance Sheet (Interim Report)
Proprietary and Fiduciary Funds
June 30, 2020 Preliminary
Thousands of dollars

	Electric FYTD	Sewer FYTD	Solid Waste FYTD	Workmen's Comp. FYTD	Health Insurance FYTD
ASSETS					
Current assets:					
Cash	$ 30,765	$ 9,159	$ 2,572	$ 3,321	$ 1,211
Certificates of deposit	8,529	-	-	-	-
Receivables and prepaid expenses	4,311	334	291	-	(1)
Due from other funds and governments	8,464	994	-	-	-
Inventory	1,215	-	-	-	-
Total current assets	53,284	10,487	2,863	3,321	1,210
Restricted assets:					
Cash and investments with fiscal agent	801	1	-	-	-
Total restricted assets	801	1	-	-	-
Net capital assets	42,865	28,749	2,133	-	-
Other assets:					
Deposits	143	3	-	19	-
Total other assets	143	2	-	19	-
Total assets	97,093	39,239	4,996	3,340	1,210
DEFERRED OUTFLOWS OF RESOURCES					
Retirement contributions	1,004	-	374	-	-
Difference on projected OPEB earnings	450	-	169	-	-
Bond refunding costs	2,349	70	-	-	-
Total deferred outflows of resources	3,804	70	542	-	-
Total assets and deferred outflows of resources	100,897	$ 39,309	$ 5,538	$ 3,340	$ 1,210
LIABILITIES					
Current liabilities:					
Accounts and other payables	$ 11,950	$ 10	$ 38	$ 55	$ 379
Due to electric fund	-	-	-	-	-
Due to other funds	-	-	-	-	-
Bonds payable within one year	-	590	-	-	-
Unearned revenue	250	-	-	-	355
Total current liabilities	12,200	600	38	55	734
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	1,251	-	-	-
Net pension liability	5,484	-	1,885	-	-
Customer deposits held	2,986	-	169	-	-
Total noncurrent liabilities	36,680	1,251	2,463	136	-
Total liabilities	48,879	1,851	2,501	191	734
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	49,145	1,851	2,605	191	734
NET POSITION					
Invested in capital assets, net of related debt	18,125	26,978	2,133	-	-
Restricted	801	1	-	612	-
Unrestricted	31,221	9,812	779	2,537	476
Encumbrances	1,604	667	21	-	-
Total net position	51,751	37,458	2,933	3,149	476
Total liabilities, deferred inflows, and net position	$ 100,895	$ 39,310	$ 5,538	$ 3,340	$ 1,210

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

City of Opelika
Combined Summary Statement of Revenues, Expenses, and Changes in Net Position (Interim Report)
Proprietary and Fiduciary Funds
FYTD June 30, 2020 Preliminary
Thousands of dollars

	Electric 2020 FYTD	Sewer 2020 FYTD	Solid Waste 2020 FYTD	Workmen's Comp. 2020 FYTD	Health Insurance 2020 FYTD
Operating Revenues					
Charges for services	$ 28,072	$ 3,908	$ 2,708	$ 310	$ 2,997
Operating Expenses					
Purchases	16,779	-	337	-	-
Depreciation	2,231	818	268	-	-
Personnel services	2,475	-	910	-	-
Other	1,707	1,503	507	154	2,491
Total operating expenses	23,192	2,321	2,022	154	2,491
Operating income/(loss)	4,880	1,587	686	156	506
Nonoperating Revenues/(Expenses)					
Gain/(Loss) on sale of capital assets	48	31	(2)	-	-
Fiber optic line leases	8	-	-	-	-
Investment income	455	42	15	20	2
Grant income	-	18	-	-	-
Pole rental	111	-	-	-	-
Miscellaneous revenues	550	-	14	-	-
Interest expense and charges	(862)	(164)	-	-	-
Total nonoperating revenues/(expenses)	310	(73)	27	20	2
Other Revenues and Transfers In/(Out):					
Capital contributions	400	-	-	-	-
Transfers from other funds	-	-	-	-	-
Transfers to other funds	(2,250)	-	-	-	-
Total other revenues/(expenses)	(1,850)	-	-	-	-
Net Income/(loss)	3,340	1,514	713	177	508
Net position, beginning of year	48,411	35,944	2,220	2,972	(32)
Net position before encumbrances	51,751	37,458	2,933	3,149	476
Encumbrances	1,604	667	21	-	-
Net position, end of period	$ 50,147	$ 36,791	$ 2,912	$ 3,149	$ 476
Additional Information:					
Cash position at September 30, 2020	$ 30,765	$ 9,159	$ 2,572	$ 3,321	$ 1,211
Cash position at September 30, 2019	22,724	6,672	1,915	3,142	654
Change in cash	$ 8,041	$ 2,487	$ 657	$ 179	$ 557

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

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

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
Revenues:						
Taxes	$ 29,710	$ 30,470	$ 760	$ 28,773	$ 30,470	$ 1,697
Licenses and permits	13,851	14,551	700	13,599	14,551	952
Intergovernmental	423	378	(45)	539	378	(161)
Charges for services	1,569	1,295	(273)	1,507	1,295	(211)
Fines and forfeits	326	224	(102)	326	224	(102)
Grants	24	13	(12)	-	13	13
Contributions	75	127	51	73	127	53
Investment income	497	453	(44)	338	453	115
Miscellaneous	278	358	80	259	358	99
Total revenues	46,754	47,869	1,115	45,414	47,869	2,455
Expenditures:						
General government	5,334	5,545	211	6,580	5,545	(1,035)
Public safety	12,473	12,794	321	14,111	12,794	(1,317)
Public works	4,254	4,124	(130)	5,030	4,124	(906)
Culture and recreation	4,651	4,445	(206)	5,626	4,445	(1,181)
Economic development	1,562	738	(824)	1,249	738	(511)
Health	280	285	5	300	285	(14)
Education	2,546	2,484	(62)	2,486	2,484	(2)
Welfare	99	94	(5)	105	94	(11)
Capital outlay	11,858	8,250	(3,608)	14,473	8,250	(6,223)
Debt service	559	-	(559)	524	-	(524)
Total expenditures	43,616	38,759	(4,858)	50,484	38,759	(11,725)
Other financing sources/(uses)						
Sale of capital assets	30	18	(12)	34	18	(16)
Transfers in	2,265	2,267	2	2,282	2,267	(15)
Transfer out	(7,305)	(8,020)	(714)	(8,814)	(8,020)	795
Total other financing sources/(uses)	(5,010)	(5,735)	(724)	(6,498)	(5,735)	764
Net change in fund balance	(1,872)	3,375	5,248	(11,568)	3,375	14,944
Fund balance, beginning of year	66,652	63,398	(3,254)	66,652	63,398	(3,254)
Fund balance, year to date	$ 64,780	$ 66,773	$ 1,993	$ 55,084	$ 66,773	$ 11,689
Less:						
Nonspendable	120	128	7	-	128	-
Restricted	201	217	17	-	217	-
Committed	25	35	10	-	35	-
Assigned	16,529	19,482	2,953	-	19,482	-
Encumbrances	14,214	10,553	(3,661)	-	10,553	-
	31,089	30,414	(674)	-	30,414	-
Unassigned fund balance	33,691	36,359	2,668	55,084	36,359	11,689
20% budgeted revenues	9,083	9,083		9,083	9,083	
Available unassigned fund balance	$ 24,608	$ 27,276		$ 46,001	$ 27,276	

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

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

	YTD Actual			Budget to Actual		
	2019	**2020**	**Variance**	**2020 Budget**	**2020 Actual**	**Variance**
Taxes:						
Sales	$ 24,520	$ 24,981	$ 461	$ 24,525	$ 24,981	$ 456
Property:						
Property	3,963	4,305	343	3,075	4,305	1,230
Payments in lieu of taxes	6	18	13	4	18	14
Total property taxes	3,968	4,324	355	3,079	4,324	1,244
Other						
Gasoline	616	583	(33)	615	583	(32)
Cigarette	57	54	(3)	46	54	9
Wine and liquor	21	23	2	21	23	2
Rental	528	505	(23)	488	505	18
Total other taxes	1,222	1,166	(56)	1,169	1,166	(3)
Total taxes	29,710	30,470	760	28,773	30,470	1,697
Licenses and permits:						
Occupational license	9,090	9,531	442	9,450	9,531	81
Business:						
General	2,933	2,991	58	2,250	2,991	741
Lodging	693	583	(110)	694	583	(111)
Franchise fee	373	386	13	386	386	(1)
Miscellaneous	223	332	108	195	332	137
Total business	4,222	4,291	69	3,525	4,291	766
Telecommunications permits and fees	17	2	(15)	17	2	(15)
Permits and inspections	515	718	203	600	718	118
Other	8	10	2	8	10	2
Total licenses and permits	13,851	14,551	700	13,599	14,551	952
Intergovernmental:						
Shared county motor vehicle	104	90	(14)	102	90	(12)
Shared state:						
Bank excise tax	-	99	99	149	99	(50)
Business privilege tax	-	-	-	56	-	(56)
Liquor tax profits	107	112	4	109	112	3
State asset forfeiture	1	13	12	12	13	-
Total shared state	108	223	115	326	223	(102)
Shared federal asset forfeiture	136	10	(126)	2	10	8
Other	75	55	(20)	109	55	(55)
Total intergovernmental	423	378	(45)	539	378	(161)
Charges for services:						
General government - other	16	20	4	18	20	2
Public Safety:						
Fire training	3	4	1	3	4	1
City schools	150	150	-	113	150	38
Auburn University	2	4	3	-	4	4
EAMC	107	167	60	120	167	47
Other	7	2	(6)	-	2	2
Health - Graves and monuments	129	108	(21)	113	108	(5)
Public Works - Paving and plan review f	52	77	25	23	77	55
Culture and Rec - Entry and concession f	1,102	763	(339)	1,118	763	(355)
Total charges for services	1,569	1,295	(273)	1,507	1,295	(211)
Fines and forfeits:						
Municipal Court	289	196	(93)	293	196	(97)
Other	37	28	(9)	32	28	(5)
Total fines and forfeits	326	224	(102)	326	224	(102)
Grant income	24	13	(12)	-	13	13
Contributions: Mobile Clinic	26	67	41	-	67	67
Contributions: Other	49	59	10	73	59	(14)
Investment income	497	453	(44)	338	453	115
Miscellaneous	278	358	80	259	358	99
Total revenues	46,754	47,869	1,115	45,414	47,869	2,455
Other financing sources						
Operating transfers from Electric fund	2,250	2,250	-	2,250	2,250	-
Other transfers	15	17	2	32	17	(15)
Sale of capital assets	30	18	(12)	34	18	(16)
Total other financing sources	2,295	2,285	(10)	2,316	2,285	(31)
Total revenue and other financing	$ 49,049	$ 50,154	$ 1,105	$ 47,730	$ 50,154	$ 2,424

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

PRELIMINARY

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

	YTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Budget	2020 Actual	Variance
General government:						
Legislative	$ 260	$ 277	$ 17	$ 363	$ 277	$ (86)
Executive	183	187	4	399	187	(212)
Legal	375	335	(41)	446	335	(112)
Administration	343	446	103	604	446	(158)
Accounting	401	404	3	458	404	(55)
Human resources	263	327	64	398	327	(71)
Information technology	1,761	1,781	20	1,857	1,781	(76)
Revenue	320	300	(19)	364	300	(64)
Municipal court	281	269	(12)	310	269	(41)
Purchasing	203	220	17	238	220	(18)
Community development	140	158	18	196	158	(38)
Planning	320	350	30	454	350	(103)
Other - nondepartmental	483	491	7	493	491	(3)
Total general government	5,334	5,545	211	6,580	5,545	(1,035)
Public safety:						
Police	7,540	7,873	334	8,762	7,873	(889)
Probation	108	84	(24)	121	84	(37)
Fire	4,555	4,522	(32)	4,914	4,522	(391)
Other - nondepartmental	271	315	44	315	315	-
Total public safety	12,473	12,794	321	14,111	12,794	(1,317)
Public works:						
Streets	1,123	1,026	(97)	1,102	1,026	(75)
Engineering	488	627	139	768	627	(141)
Administration	407	378	(29)	408	378	(30)
Cemetery	184	176	(8)	176	176	-
Auto shop	436	419	(16)	872	419	(453)
Building maintenance	449	430	(19)	490	430	(60)
Inspection	385	343	(42)	490	343	(147)
Grounds maintenance	782	725	(58)	725	725	-
Total public works	4,254	4,124	(130)	5,030	4,124	(906)
Culture and recreation:						
Parks and recreation	3,848	3,404	(445)	4,463	3,404	(1,059)
Library	712	714	3	912	714	(198)
Other - nondepartmental	91	327	236	251	327	76
Total culture and recreation	4,651	4,445	(206)	5,626	4,445	(1,181)
Economic development:						
Development	279	279	(1)	437	279	(159)
Other - nondepartmental	1,282	459	(823)	812	459	(353)
Total economic development	1,562	738	(824)	1,249	738	(511)
Health:						
Animal control	57	58	-	64	58	(6)
Mobile Clinic	-	-	-	-	-	-
Other	223	228	5	236	228	(8)
Total health	280	285	5	300	285	(14)
Education	2,546	2,484	(62)	2,486	2,484	(2)
Welfare	99	94	(5)	105	94	(11)
Capital outlay	11,858	8,250	(3,608)	14,473	8,250	(6,223)
Debt service						
Principal retirement	542	-	(542)	510	-	(510)
Interest and charges	17	-	(17)	13	-	(13)
Total debt service	559	-	(559)	524	-	(524)
Total expenditures	43,616	38,759	(4,858)	50,484	38,759	(11,725)
Other financing uses						
Transfers out:						
Transfers to PR/Jail construction fund	2,498	2,564	66	2,550	2,564	14
Transfers to other funds	4,808	5,456	648	6,264	5,456	(808)
Total transfers out	7,305	8,020	714	8,814	8,020	(795)
Total expenditures and other financing uses	$ 50,922	$ 46,778	$ (4,143)	$ 59,298	$ 46,778	$ (12,520)

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

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

	FYTD Actual			Budget to Actual		
	2019	2020	Variance	2020 Rev Budg	2020 Actual	Variance
GENERAL FUND						
General Government:						
Legislative	-	-	-	-	-	-
Executive	-	-	-	-	-	-
Legal	-	-	-	-	-	-
Adminstration	-	-	-	-	-	-
Accounting	-	21,470	21,470	486,772	21,470	465,302
Human Resources	-	-	-	-	-	-
Information Technology	531,700	720,178	188,478	985,033	720,178	264,855
Revenue	-	-	-	-	-	-
Municipal Court	-	-	-	-	-	-
Purchasing	-	-	-	-	-	-
Community Development	-	-	-	-	-	-
Planning	-	-	-	-	-	-
Health	100,938	-	(100,938)	100,938	-	100,938
Other	-	-	-	-	-	-
Total general government	$ 632,638	$ 741,648	$ 109,010	$ 1,572,743	$ 741,648	$ 831,095
Public Safety:						
Police	8,988,289	2,776,161	(6,212,128)	3,774,648	2,776,161	998,487
Probation	-	-	-	-	-	-
Fire	17,125	405,914	388,789	1,025,795	405,914	619,881
Total public safety	$ 9,005,414	$ 3,182,075	$ (5,823,339)	$ 4,800,443	$ 3,182,075	$ 1,618,368
Public Works:						
Streets	975,335	1,512,377	537,042	4,727,582	1,512,377	3,215,205
Engineering	378,468	1,772,615	1,394,147	5,049,601	1,772,615	3,276,986
Administration	174,344	406,506	232,162	525,430	406,506	118,924
Cemetery	-	-	-	-	-	-
Auto Shop	-	-	-	-	-	-
Building Maintenance	-	-	-	-	-	-
Inspection	-	-	-	-	-	-
Grounds Maintenance	-	-	-	-	-	-
Total public works	$ 1,528,147	$ 3,691,498	$ 2,163,351	$ 10,302,613	$ 3,691,498	$ 6,611,115
Culture and Recreation:						
Parks and Recreation	626,429	510,741	(115,688)	2,140,367	510,741	1,629,626
Library	14,150	124,000	109,850	481,320	124,000	
Total culture and recreation	$ 640,579	$ 634,741	$ (5,838)	$ 2,621,687	$ 634,741	$ 1,986,946
Economic development	$ -	$ -	$ -	$ -	$ -	$ -
Health, Education and Welfare	$ 51,123	$ -	$ (51,123)	$ -	$ -	$ -
Total capital outlay expenditures	**$ 11,857,901**	**$ 8,249,962**	**$ (3,607,939)**	**$ 19,297,486**	**$ 8,249,962**	**$ 11,047,524**
PROPRIETARY FUNDS						
Electric	1,781,816	1,506,417	(275,399)	7,680,547	1,506,417	6,174,130
Telecommunications	37,763	-	(37,763)	0	-	-
Sewer	4,174,938	270,102	(3,904,836)	2,220,451	270,102	1,950,349
Solid Waste	577,447	394,018	(183,429)	475,000	394,018	80,982
Total Proprietary funds	$ 6,571,964	$ 2,170,537	$ (4,401,427)	$ 10,375,998	$ 2,170,537	$ 8,205,461
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	274,275	264,814	93,358	-	93,358
Industrial Road Grant funds - Other	6,538	181,835	175,297	220,560	181,835	38,725
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	$ 490,879	$ (1,265,510)	$ 446,158	$ 216,604	$ 229,554
Total	$ 20,186,254	$ 10,911,378	$ (9,274,876)	$ 30,119,642	$ 10,637,103	$ 19,482,539

Attachment: June 2020 Financial Stmts (4167 : City's Financial Summary Report for June 2020.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 4140

GENERAL BUSINESS (ID # 4140)

Public Hearing - Weed Abatement Assessment - 808 Donald 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

To: Robert Calloway Jr.
1801 Century Blvd
Opelika Al. 36801

July 7, 2020

Property Address:
808 Donald Ave
Opelika Al. 36801
Parcel # 10-04-18-2-002-147.000

On May 28, 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: 152.50

Certified mail: 13.34

Misc. _____

Total 165.48

Attachment: WEED INVOICE 808 Donald Ave (4140 : Public Hearing - Weed Abatement Assessment - 808 Donald Ave.)

To: Robert Calloway Jr.
1801 Century Blvd Apt 701
Opelika Al. 36801 :

NOTICE OF PUBLIC HEARING ON COST OF ABATEMENT OF WEED NUISANCE LOCATED AT 808 Donald Ave, Parcel 10-04-18-2-002-147.000

==========

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 808 Donald Ave, Parcel No. 147.000 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 $165.48

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 21st day of July, 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 7th day of July, 2020.

_____
Jerry Bush
Code Compliance Officer

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

Attachment: Weeds, NPH-Resolution, cost to abate, 808 Donald ave (4140 : Public Hearing - Weed Abatement Assessment - 808 Donald Ave.)

City Council
204 South 7Th Street
Opelika, AL

SCHEDULED

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 4142

GENERAL BUSINESS (ID # 4142)

Public Hearing - Weed Abatement Assessment - 814 Donald 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

To: Estelle Russaw Estate c/o Bertha Phipps **July 7, 2020**
13636 Santa Rose Dr.
Detroit MI 48238

Property Address:
814 Donald Ave
Opelika Al. 36801
Parcel # 10-04-18-2-002-149.000

On May 28, 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: 151.25

Certified mail: 13.34

Misc.

Total 164.59

Attachment: WEED INVOICE 814 Donald Ave (4142 : Public Hearing - Weed Abatement Assessment - 814 Donald Ave.)

Attachment: Weeds, NPH-Resolution, cost to abate, 814 Donald ave (4142 : Public Hearing - Weed Abatement Assessment - 814 Donald Ave.)

To: **Estelle Russaw Estate c/o Bertha Phipps**
13636 Santa Rose Dr.
Detroit Mi. 48238

NOTICE OF PUBLIC HEARING ON COST OF ABATEMENT OF WEED NUISANCE LOCATED AT 814 Donald Ave, Parcel 10-04-18-2-002-149.000

==========

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 814 Donald Ave, Parcel No. 149.000 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 $164.59.

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 21st day of July, 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 7th day of July, 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

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 4145

GENERAL BUSINESS (ID # 4145)

Public Hearing - Weed Abatement Assessment - 411 S 4th St.

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: 07/07/2020

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

Property Address:
411 S 4th St
Opelika Al. 36801
Parcel # 10-03-08-3-000-028.000

On June 6, 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: 133.75

Certified mail: 13.34

Misc. _____

Total 143.89

Attachment: WEED INVOICE 411 S 4th St. (4145 : Public Hearing - Weed Abatement Assessment - 411 S 4th St.)

Attachment: Weeds, NPH-Resolution, cost to abate, 411 S 4th St - Copy (4145 : Public Hearing - Weed Abatement Assessment - 411 S 4th St.)

To: State of Alabama
PO Box 327210
Montgomery Al 36132

NOTICE OF PUBLIC HEARING ON COST OF ABATEMENT OF WEED NUISANCE LOCATED AT 411 S 4th St. Parcel 10-03-08-3-000-028.000

==========

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 411 S 4th St., Parcel No. 028.000 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 $143.89.

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 21st day of July, 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 7th day of July, 2020.

_____
William 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

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Public Hearing
Prepared By: Jerry Bush
Initiator: Lillie Finley
Sponsors:
DOC ID: 4147

GENERAL BUSINESS (ID # 4147)

Public Hearing - Weed Abatement Assessment - 504 S 4th St.

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: 07/07/2020

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

Property Address:
504 S 4th St
Opelika Al. 36801
Parcel # 10-03-08-3-000-104.000

On June 6, 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: 500.00

Certified mail: 13.34

Misc. _____

Total 513.34

Attachment: WEED INVOICE 504 S 4th St. (4147 : Public Hearing - Weed Abatement Assessment - 504 S 4th St.)

Attachment: Weeds, NPH-Resolution, cost to abate, 504 S 4th St (4147 : Public Hearing - Weed Abatement Assessment - 504 S 4th St.)

To: State of Alabama
PO Box 327210
Montgomery Al 36132

NOTICE OF PUBLIC HEARING ON COST OF ABATEMENT OF WEED NUISANCE LOCATED AT 504 S 4th St. Parcel 10-03-08-3-000-104.000

==========

NOTICE IS HEREBY GIVEN that the weed nuisance growing upon or in front of the property located at 504 S 4th St., Parcel No. 104.000 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 $513.34.

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 21st day of July, 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 7th day of July, 2020.

_____
William 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

ADOPTED

BIDS 126-20

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Lillie Finley
Sponsors:
DOC ID: 4157

Southern Yellow Pine Wooden Utility Poles - OPS.

RESOLUTION NO. _____

WHEREAS, the Purchasing Department opened sealed bids for a contract for Southern Yellow Pine Wooden Utility Poles for Opelika Power Services; and

WHEREAS, T R Miller Mill 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 contract be awarded to T R Miller Mill Co., Inc. on their low bid meeting specifications.

2. That the Purchasing-Revenue Manager be authorized to issue a purchase order to T R Miller Mill Co., Inc. 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:	Dozier Smith T, Council Member
SECONDER:	David Canon, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

FACT SHEET

SUBJECT: Sealed Bid #20029 – We are asking the Council to approve a contract for Southern Yellow Pine Wooden Utility Poles

FACTS:

- Bid opening date – 7/13/20
- User department – Power Services
- The bid was mailed to 13 vendors
- 3 bids were received
- Budgeted purchase
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend the bid be awarded to T R Miller Mill Co., Inc. on their low bid meeting specifications on an as needed basis.**

Attachment: 7-21-20 - SOUTHERN YELLOW PINE WOOD UTILITY POLES 20029 - CNCL PKT (126-20 : Southern Yellow Pine Wooden Utility Poles

BID# 20029 DATE: 7/13/20 DEPT: OPS — 13 VENDORS INVITED

DESCRIPTION: SOUTHERN YELLOW PINE WOODEN UTILITY POLES — 3 BIDS RECEIVED

ITEM 1: 30/4
ITEM 2: 35/4
ITEM 3: 40/3
ITEM 4: 45/3
ITEM 5: 50/2
ITEM 6: 55/2
ITEM 7: 60/2
ITEM 8: 65/2
ITEM 9: 70/2

VENDOR NAME	ITEM #1	ITEM #2	ITEM #3	ITEM #4	ITEM #5	ITEM #6	ITEM #7	ITEM #8	ITEM #9	DISC
BALDWIN LIGHTING INC/										
BALDWIN POLE & PILING CO	$ 132.00	$ 171.00	$ 245.00	$ 294.00	$ 411.00	$ 494.00	$ 595.00	$ 812.00	$ 1,129.00	--
BRIDGEWELL RESOURCES										
BROWN WOOD PRESERVING										
COX INDUSTRIES										
EDDIEPOLES LLC										
GRESCO/CAPSTONE UT SUPP										
NATIONWIDE UT POLES & SUPP	$ 140.00	$ 191.00	$ 270.00	$ 325.00	$ 449.00	$ 525.00	$ 680.00	$ 1,090.00	$ 1,300.00	2%/10
SABRE COMMUNICATIONS										
STALLWORTH TIMBER CO INC										
STRESSCRETE INC										
STUART C IRBY CO										
THOMASSON LUMBER CO										
TR MILLER MILL CO INC	**$ 118.70**	**$ 158.75**	**$ 227.39**	**$ 273.85**	**$ 415.70**	**$ 484.67**	**$ 651.62**	**$ 740.85**	**$ 889.73**	--

Attachment: 7-21-20 - SOUTHERN YELLOW PINE WOOD UTILITY POLES 20029 - CNCL PKT (126-20 :

City Council
204 South 7Th Street
Opelika, AL

ADOPTED

BIDS 127-20

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Lillie Finley
Sponsors:
DOC ID: 4163

2020 Removal of Dead, Dying, or Dangerous Trees - ENG.

RESOLUTION NO. _____

RESOLUTION ACCEPTING BID SUBMITTED BY AAA GENERAL CONTRACTORS, INC. FOR 2020 REMOVAL OF DEAD, DYING, OR DANGEROUS TREES

WHEREAS, the Purchasing Department opened sealed bids for a contract for 2020 Removal of Dead, Dying, or Dangerous Trees for the Engineering Department; and

WHEREAS, Engineering solicited bids for a base amount plus unit pricing; and

WHEREAS, AAA General Contractors, Inc. submitted the lowest bid meeting specifications; and

WHEREAS, budgeted funds will come from Capital Outlay;

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

1. That the contract be awarded to AAA General Contractors, Inc. on their low bid meeting specifications.

2. That the Purchasing-Revenue Manager is hereby authorized to issue a purchase order to AAA General Contractors, Inc. for their base bid in the amount of $129,490.00 plus unit prices for any additional trees.

3. That the Mayor is hereby authorized and directed to execute or cause to be

executed and delivered in the name and on behalf of the City such agreements, contracts, change orders, notices, certifications, assurances, instruments, or communication as he deems necessary to carry into effect the provisions of this Resolution.

4. That the compensation to be paid to AAA General Contractors, Inc. shall come from the Capital Outlay Budget and the Controller is authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

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

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:	Patricia Jones, President Pro-Tem
SECONDER:	Dozier Smith T, Council Member
AYES:	Jones, Gibson-Pitts, Smith T, Canon, Smith

FACT SHEET

SUBJECT: Sealed Bid #20030 – We are asking the Council to approve a contract for 2020 Removal of Dead, Dying, or Dangerous Trees

FACTS:

- Bid opening date – 7/14/20
- User department(s) – Engineering
- The bid was mailed to 17 vendors
- 3 bids were received
- Budgeted contract
- Bid tabulation sheet attached

RECOMMENDATION:

- **Recommend contract be awarded to AAA General Contractors, Inc. on their low bid meeting specifications in the amount of $129,490.00 plus unit prices for any additional trees.**

Lillie Finley

7/15/20

Attachment: 7-21-20 - 2020 REMOVAL OF DEAD, DYING, OR DANGEROUS TREES 20030 - BID PKT (127-20 : 2020 Removal of Dead, Dying, or

BID# 20030 DATE: 7/14/20 DEPT: ENGINEERING				17 VENDORS INVITED
DESCRIPTION: 2020 REMOVAL OF DEAD, DYING, OR DANGEROUS TREES				3 BIDS RECEIVED
VENDOR	TOTAL	ALT TOTAL	DISC	
A+ LANDSCAPING & IRRIGATION				
A & O TREE SERVICE				
A CUT ABOVE LANDSCAPE MGMT				
AAA GENERAL CONTRACTORS INC	**$ 129,490.00**	**--**	**--**	
AKA TREE REMOVAL				
ASPLUNDH TREE EXPERT CO				
BARTLETT TREE EXPERT CO				
BURFORD'S TREE INC				
ENVIROGRIND LLC				
EVER GREEN OUTDOOR				
GOLDENVIRONMENT				
NEW URBAN FORESTRY				
REED TREE CUTTING & LAWN				
TIGER TREE EXPERTS INC/HALL'S	$ 145,575.00	--	--	
TIM'S TREE SERVICE				
TREES UNLIMITED				
Evergreen Erosion Control LLC	$ 281,000.00	--	--	

Attachment: 7-21-20 - 2020 REMOVAL OF DEAD, DYING, OR DANGEROUS TREES 20030 - BID PKT

City Council
204 South 7Th Street
Opelika, AL

ADOPTED

BIDS 128-20

Meeting: 07/21/20 07:00 PM
Department: Purchasing and Revenue
Category: Bid
Prepared By: Angela Norrell
Initiator: Lillie Finley
Sponsors:
DOC ID: 4160

Opelika Public Library - LIB.

RESOLUTION NO. _____

RESOLUTION AWARDING BIDS FOR CONSTRUCTION OF THE NEW LIBRARY BUILDING

WHEREAS, the City Council ("Council") of the City of Opelika, Alabama (the "City") has determined that the City for general municipal purposes will develop and construct a new Library to be located at 1100 Glenn Street (the "Project"); and

WHEREAS, the construction work for the Project has been divided into four (4) bid packages (the "Bid Packages"), each of which was competitively bid as separate prime contracts in accordance with the Public Works Law, Alabama *Code* §39-1-1, et.seq.; and

WHEREAS, the City advertised each prime contract as referenced in the bid packages for sealed bids and opened said bids publicly on July 14, 2020 at the advertised time and place; and

WHEREAS, the construction manager and the architect have recommended to the Council that the City award the contracts to the lowest pre-qualified responsible bidders in accordance with Alabama *Code* §39-2-6; and

WHEREAS, the Council desires to award each of said four (4) prime contracts to the lowest pre-qualified responsible bidders as recommended by the construction manager and the architect.

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

1. That Bid Package 1, General Works, is hereby awarded to Freeman & Associates

on its low bid of $5,100,000.00

2. That Bid Package 2, Structural Steel, is hereby awarded to SteelFab, Inc., on its low bid of $579, 216.00.

3. That Bid Package 3, Mechanical, is hereby awarded to Bradley Plumbing and Heating, Inc., on its low bid of $1,201,000.00

4. That Bid Package 4, Electrical, is hereby awarded to Auburn Electric Company, Inc., on its low bid of $1,570,000.00.

5. That the Mayor is hereby authorized and directed to execute in the name of and on behalf of the City the prime contracts for each of the Bid Packages as provided above, and the City Clerk is hereby authorized and directed to attest said contracts. The Mayor, the City Clerk and the officers of the City are hereby authorized and directed to execute and attest such ancillary documents, notices, instruments and certificates as may be necessary to carry out the provisions of this Resolution or the prime contracts and to punctually observe and perform all agreements and obligations of the City under the prime contracts.

6. The Council certifies that the four (4) prime contracts referenced above are let in accordance with Title 39 of the Alabama *Code,* and all other laws governing the letting and execution of public contracts.

7. That the City Council does hereby approve a total project development budget for the project in an amount not to exceed $11,876,188.00.

8. The Council does hereby delegate to the Mayor the authority to approve and execute on recommendation of the construction manager and the architect, all change orders related to said prime contracts necessary for the successful delivery of the Project, provided the

aggregate amount of said prime contracts and all change orders do not exceed the total project development budget. Notwithstanding the foregoing, the Mayor shall approve and process all change orders in compliance with the provisions of Title 39 of the Alabama *Code* and all other laws governing public contracts.

9. That the Mayor is hereby delegated the authority to approve and execute all professional contracts, such as environmental testing, necessary for the successful delivery of the Project.

10. That the compensation to be paid to the contractors under and pursuant to the prime contracts and all other expenditures associated with the Project shall be paid from the Unassigned Fund Balance, and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

11. That the Purchasing-Revenue Manager is hereby authorized and directed to issue appropriate purchase orders for each of the four (4) Bid Packages as provided above.

12. 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

COMMENTS - Current Meeting:

Ms. Pitts voiced her concern over what would go in the old library or if it would be demolished. Ms. Pitts also stated she agreed with the council but would like for the council or city administration to consider making that building a senior center and/or possibly a space for non-profit companies to meet due to the Jeter area having no city buildings. Ms. Pitts asked if the building is sold, would that be a vote for the council or would the administration decide itself. Mr. Gunter explained that any property that is disposed of by the city requires an ordinance that has to be passed by the city council.

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

#20026 Opelika Public Library

Bids Submitted: 2:00 PM 7/14/2020 501 S 10th St, Opelika, AL 36801

BIDS TABULATION 7/14/2020

#	Contractor	Must Reject Proposal: Envelope Sealed	Must Reject Proposal: Proposal Includes Full Legal Description of Bidder	Must Reject Proposal: Proposal Includes Bid Security	Must Reject Proposal: Proposal has Authorized Signature	Must Reject Proposal: Proposal Includes Bidders State License Number	May Reject Proposal: No Ommisions/Alterations of Bid Form	May Reject Proposal: NoOmmisions/Alterations of Attachment B	May Reject Proposal: Unit prices are obviously unbalanced or noncompetitive	May Reject Proposal: Acknowledge All Addenda	Base Bid
Bid Package 1 - General Works											
1	Freeman & Associates	x	x	x	x	x	x	x	x	x	$5,5150,00.00 - $50,000.00 = $5,100,000.00
2	Bailey-Harris Construction Company, Inc										No Bid
3	Rabren General Contractors, Inc.										No Bid
4	War Construction, Inc.										No Bid
5	Jesco Inc										No Bid
6	STONE BUILDING, LLC	x	x	x	x	x	x	x	x	x	$6,000,000.00 - $551,000.00 = $5,449,000.00
7	INCO Group	x	x	x	x	x	x	x	x	x	$6,398,000.00 - $51,000.00 = $6,347,000.00

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

Lillie Findley, City of Opelika, Revenue Director

Printed Name, Title of City of Opelika Representative & Signature

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for thie project

Sworn and subscribed before me this 15th day of July, 2020

NADINE MARIE SULLIVAN NOTARY PUBLIC STATE OF ALABAMA

Nadine Marie Sullivan My commission Expires 09/14/22

Notary Public Signature and Stamp

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

M. Shawn Calma, AIA, Vice President

Printed Name, Title of Architect & Architect Signature

Attachment: 7-21-20 - OPELIKA PUBLIC LIBRARY 20026 - BID PKT (128-20 : Opelika Public Library -

#20026 Opelika Public Library

Bids Submitted: 2:00 PM 7/14/2020 501 S 10th St, Opelika, AL 36801

BIDS TABULATION 7/14/2020

#	Contractor	Must Reject Proposal: Envelope Sealed	Must Reject Proposal: Proposal includes Full Legal Description of Bidder	Must Reject Proposal: Proposal includes Bid Security	Must Reject Proposal: Proposal has Authorized Signature	Must Reject Proposal: Proposal includes Bidders State License Number	May Reject Proposal: No Ommisions/Alterations of Bid Form	May Reject Proposal: NoOmmisions/Alterations of Attachment B	May Reject Proposal: Unit prices are obviously unbalanced or noncompetitive	May Reject Proposal: Acknowledge All Addenda	Base Bid
Bid Package 2 - Structural Steel											
1	SteelFab, Inc.	x	x	x	x	x	x	x	x	x	$579,216.00
2	Contractors Steel Supply	x	x	x	x	x	x	x	x	x	$636,000.00
3	South Central Steel	x	x	x	x	x	x	x		x	$649,000.00
4	E & H Steel										No Bid

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

Lillie Findley, City of Opelika, Revenue Director

Printed Name, Title of City of Opelika Representative & Signature

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for the project

Sworn and subscribed before me this 15th day of July, 2020

NADINE MARIE SULLIVAN NOTARY STATE OF ALABAMA

Notary Public Signature and Stamp

My Commission Expires: 09/14/22

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

M. Shawn Calma, AIA, Vice President

Printed Name, Title of Architect & Architect Signature

Attachment: 7-21-20 - OPELIKA PUBLIC LIBRARY 20026 - BID PKT (128-20 : Opelika Public Library -

#20026 Opelika Public Library

Bids Submitted: 2:00 PM 7/14/2020 501 S 10th St, Opelika, AL 36801

BIDS TABULATION 7/14/2020

#	Contractor	Must Reject – Proposal: Envelope Sealed	Must Reject – Proposal: Proposal Includes Full Legal Description of Bidder	Must Reject – Proposal: Proposal includes Bid Security	Must Reject – Proposal: Proposal has Authorized Signature	Must Reject – Proposal: Proposal includes Bidders State License Number	May Reject – Proposal: No Ommisions/Alterations of Bid Form	May Reject – Proposal: NoOmmisions/Alterations of Attachment B	May Reject – Proposal: Unit prices are obviously unbalanced or noncompetitive	May Reject – Proposal: Acknowledge All Addenda	Base Bid
Bid Package 3 - Mechanical											
1	Bradley Plumbing & Heating	x	x	x	x	x	x	x	N/A	x	$1,201,000.00
2	AMCO	x	x	x	x	x	x	x	N/A	x	$1,312,000.00 - $2,000.00 = $1,310,000.00
3	P&M Mechanical	x	x	x	x	x	x	x	N/A	x	$1,800,000.00 - $146,000.00 = $1,654,000.00
4	RJ Mecahnical	x	x	x	x	x	x	x	N/A	x	No Bid

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

Lillie Findley, City of Opelika, Revenue Dirctor

Printed Name, Title of City of Opelika Representative & Signature

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for thie project

Sworn and subscribed before me this 15th day of July, 2020

NADINE MARIE SULLIVAN NOTARY PUBLIC STATE OF ALABAMA

Nadine Marie Sullivan My Commission Expires: 09/14/22

Notary Public Signature and Stamp

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

M. Shawn Calma, AIA, Vice President

Printed Name, Title of Architect & Architect Signature

Attachment: 7-21-20 - OPELIKA PUBLIC LIBRARY 20026 - BID PKT (128-20 : Opelika Public Library -

#20026 Opelika Public Library

Bids Submitted: 2:00 PM 7/14/2020 501 S 10th St, Opelika, AL 36801

BIDS TABULATION 7/14/2020

#	Contractor	Must Reject Proposal: Envelope Sealed	Must Reject Proposal: Proposal includes Full Legal Description of Bidder	Must Reject Proposal: Proposal includes Bid Security	Must Reject Proposal: Proposal has Authorized Signature	Must Reject Proposal: Proposal includes Bidders State License Number	May Reject Proposal: No Ommisions/Alterations of Bid Form	May Reject Proposal: NoOmmisions/Alterations of Attachment B	May Reject Proposal: Unit prices are obviously unbalanced or noncompetitive	May Reject Proposal: Acknowledge All Addenda	Base Bid
Bid Package 4 - Electrical											
1	Dixie Electric	x	x	x	x	x	x	x	N/A	x	$1,682,500.00
2	Metro Electric	x	x	x	x	x	x	x	N/A	x	$1,712,496.00 - $39,000.00 = $1,673,496.00
3	Alexander Electric Co.	x	x		x	x	x	x	N/A	x	$1,750,000.00 + $45,000.00 = $1,795,000.00
4	Auburn Electric	x	x	x	x	x	x	x	N/A	x	$1,570,000.00

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

Lillie Findley, City of Opelika, Revenue Director

Printed Name, Title of City of Opelika Representative & Signature

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for thie project

Sworn and subscribed before me this 15th day of July, 2020

NADINE MARIE SULLIVAN NOTARY PUBLIC STATE OF ALABAMA

Notary Public Signature and Stamp

My Commission Expires: 09/14/22

I certify that the above is a true and correct tabulation of bids received and opened for the project specified above

M. Shawn Calma, AIA, Vice President

Printed Name, Title of Architect & Architect Signature

Attachment: 7-21-20 - OPELIKA PUBLIC LIBRARY 20026 - BID PKT (128-20 : Opelika Public Library - LIB.)

RESOLUTION NO. 129-20

Designate City Personal Property Surplus & Authorize Disposal.

RESOLUTION NO. _____

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

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

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

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

No.	Qty.	Unit	Item Description	Fixed Asset
1.	1	Ea.	2009 Ford Truck 1FTRF12WX9KB22993	87002565

SECTION 2. That the Mayor is hereby authorized and directed to dispose of the personal property owned by the City of Opelika, Alabama, described in Section 1 above. If any such property has marketable value, the Mayor shall receive bids or quotations for such property and shall sell the same to the highest bidder. If the property has no marketable value, the Mayor may dispose of such property in the most economical and feasible manner available to him.

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

_____

C.E. “Eddie” Smith, Jr.

President of the City Council

City of Opelika, Alabama

ATTEST:

_____

Russell A. Jones

City Clerk - Treasurer

RESOLUTION NO. 130-20

Agreement with L.P. Campbell Co. for Professional Grant Writing Services.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH L.P. CAMPBELL COMPANY

WHEREAS, the City of Opelika recognizes the value of retaining the service of a professional grant writer to assist the City in securing grant assistance; and

WHEREAS, L.P. Campbell Company is qualified to provide such service.

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

1. That the Mayor is authorized to enter into the Service Agreement with L.P. Campbell Company for a period of one year commencing August 17, 2020 and ending August 16, 2021 at an annual fee of $ 18,000 to be paid in equal quarterly installments; and

2. That the Mayor is authorized to enter into the Service Agreement with L.P. Campbell Company on behalf of the City of Opelika.

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

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

ATTEST:

_____

Russell A. Jones

City Clerk / Treasurer

PROFESSIONAL SERVICE AGREEMENT
BETWEEN
L.P. CAMPBELL COMPANY
AND
CITY OF OPELIKA, ALABAMA

This Service Agreement is between L.P. Campbell Company (hereinafter referred to as "Consultant") and the City of Opelika, Alabama (hereinafter referred to as "Client").

It is understood by the Consultant and the Client, and as consideration for the formation of this agreement that the Client desires assistance in its effort to obtain federal, state, and private funding for local projects and programs; and that the Consultant is capable of providing services which will assist the Client in identifying and securing grant funding federal, state, and private funding for the Client's local projects and programs.

In further consideration of the mutual promises herein contained it is agreed as follows:

The Service Agreement will become effective and shall remain in effect for twelve months from August 17, 2020 through August 16, 2021.

The Consultant will provide the Client with the following services:

1. Information on federal, state, and private grant and/or local programs as requested by the Client or as deemed appropriate by the Consultant.

2. Preparation of all grant applications as authorized by the Mayor and/or City Council for submission to federal/state agencies.

3. Site visits by the Consultant for the purpose of developing and/or preparing grant/loan applications.

4. Reports on the status of work being accomplished by the Consultant on behalf of the Client.

It is understood by both parties that in order to undertake the above services that:

The Consultant will receive guidance from and coordinate all grant application activities through the Office of the Opelika City Administrator.

Attachment: L. P. Campbell service agreement - opelika 2020 (130-20 : Agreement with L.P. Campbell Co. for Professional Grant Writing

SERVICE AGREEMENT
Page 2

The Client will provide the Consultant with all necessary data and materials requested by the Consultant for preparation of loan and grant applications; and

The Consultant reserves the right to refuse to prepare an application based on an assessment by the Consultant that the project for which the funds are requested is inappropriate or noncompetitive for the program through which the funds are to be requested.

The Client is wholly and completely responsible for the administration of grant programs awarded to the Client unless the Client and the Consultant have entered into a separate contract detailing services to be performed by the Consultant.

In consideration for the services provided by the Consultant, the Client agrees to pay the Consultant an annual non-refundable fee of $ 18,000 beginning August 17, 2020; to be paid in equal quarterly installment payments of $ 4,500.

The undersigned acknowledges, confirms, and certifies that he/she is authorized to enter into this Agreement by and on behalf of L.P. Campbell Company and the City of Opelika, Alabama.

In witness, whereof, we have executed this Agreement effective the 17th day of August 2020

L.P. CAMPBELL COMPANY

BY: _____
Louise Pryor Campbell
Owner, L.P. Campbell Company

DATE: _____

CITY OF OPELIKA, ALABAMA

BY: _____
Gary Fuller
Mayor, City of Opelika

DATE: _____

Attachment: L. P. Campbell service agreement - opelika 2020 (130-20 : Agreement with L.P. Campbell Co. for Professional Grant Writing

RESOLUTION NO. 131-20

Agreement with ADEM for Recycling Fund Grant - OES.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF ALABAMA RECYCLING FUND GRANT AGREEMENT WITH THE ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

WHEREAS, the City of Opelika, City of Auburn, Lee County and Auburn University are members of East Alabama Recycling Partnership; and

WHEREAS, the City of Opelika, through East Alabama Recycling Partnership, has applied to the Alabama Department of Environmental Management for a grant under the Alabama Recycling Funds Grant Program; and

WHEREAS, East Alabama Recycling Partnership has been selected for project funding in the maximum amount of forty thousand three hundred twenty-seven and 77/100 dollars ($40,327.77); and

WHEREAS, the City of Opelika will purchase one (1) eight-foot collection trailer, two (2) fourteen-foot collection trailers, and two hundred (200) 96-gallon refuse carts for its recycling program; and

WHEREAS, a proposed Alabama Recycling Fund Grant Agreement (hereinafter the "Agreement") has been prepared and submitted to the City Council for approval; and

WHEREAS, the City Council has determined that it is now in the best interest of the City and its citizens to approve said Agreement.

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

1. That the proposed Alabama Recycling Fund Grant Agreement to be entered into

by and between East Alabama Recycling Partnership (City of Opelika) and the Alabama Department of Environmental Management, a copy of which is attached hereto and marked Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve which approval shall be conclusively evidenced by execution and delivery of said Agreement.

2. That the Mayor is hereby authorized and directed to execute said Agreement 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 Agreement.

4. That the Mayor and Controller are hereby authorized and directed to make all appropriate accounting and budget entries necessary to carry into effect the provisions of the attached Agreement.

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

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

_____

PRESIDENT OF THE CITY COUNCIL OF THE

CITY OF OPELIKA, ALABAMA

ATTEST:

_____

CITY CLERK

Grant # ARF20-06-188

Grantee Initials _____

Alabama Recycling Fund Grant Agreement

Grantee:	East Alabama Recycling Partnership
Contact Person:	Terry White
Address:	675 Jeter Avenue, Opelika, AL 36801
Email:	tmwhite@opelika-al.gov
Telephone:	(334)-705-2090
Responsible Person:	Mayor Gary Fuller
Address:	204 S. 7th St, Opelika, AL 36801
Email:	gfuller@opelika-al.gov
Telephone:	(334)-705-5150

Grant reimbursements should be made payable to:
East Alabama Recycling Partnership, City of Opelika

Grant reimbursements mailed to this address:
PO Box 390
Opelika, AL 36803

Grant Period: October 1, 2020 – September 30, 2021
Amount Awarded: $40,327.77

Semiannual Report Due Dates:
1st Semiannual Report Due: April 15th
Final Semiannual Report Due: October 15th

The Alabama Department of Environmental Management (ADEM) is the administrative agency for recycling projects approved for expenditure of funds under the Alabama Recycling Fund Grant Program. The Alabama Recycling Funds Grant Program is further defined in Chapter 335-13-10 of the Alabama Solid Waste Regulations.

A maximum of $40,327.77 inclusive of all costs will be granted for this project to the East Alabama Recycling Partnership (hereinafter referred to as the Grantee) by ADEM (hereinafter referred to as Department). Reimbursement of expenditures will be limited to and in accordance with the program budget submitted by the grantee and may be found as Attachment B of this Agreement.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

GENERAL REQUIREMENTS

The Grantee is responsible for compliance with state and any applicable local Solid Waste Management Plans and regulations and requirements of Alabama Recycling Fund and completion of the activities in the Grant Application that was submitted by the Grantee, except as modified and superseded by this agreement.

I. GENERAL PROJECT SUMMARY

Lee County is requesting 6 steel dumping hoppers to increase efficiency in sorting and processing at the Lee County Recycling Facility.
Auburn University is requesting a vertical baler to increase productivity and efficiency of their campus collection.
The City of Opelika is requesting 200 96-Gallon carts to increase their participation rate. They are also requesting 2 14' trailers and 1 8' trailer to increase cardboard collection.

A. MILESTONES/TIMELINE OF ACTIVITIES

The grantee agrees to begin the implementation of the project during the grant period outlined in this agreement, conditional upon the grant agreement being signed and becoming a binding contract.

B. REGIONAL PARTNERSHIPS

If this grant agreement involves multiple entities as the grantee, written agreements including those concerning grant funds, revenue disbursement, and the responsibilities of each entity shall be required. All such agreements are binding as if incorporated herein.

II. BUDGET AND EXPENDITURES

The approved project budget and maximum reimbursable expenditures are further detailed in Attachment B of this Agreement. Any exceptions must be attached to this Agreement as an amendment which has been signed by the Department and Grantee. The approved budget is further categorized as follows:

Itemized Budget

Lee County	
Steel Dumping Hoppers (6)	$8,424.00
Auburn University	
Vertical Baler	$11,800.00
City of Opelika	
8' Collection Trailer	$2,400.00
14' Collection Trailers (2)	$7,000.00
96-Gallon Carts (200)	$10,703.77
Total	**$40,327.77**

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

Categorized Budget

Infrastructure (equipment, buildings, land, etc.)	$40,327.77
Personnel (salaries, benefits, etc.)	$0.00
Education (materials, radio/TV, hand-outs, etc.)	$0.00
Professional Services (consultants, engineering, planning)	$0.00
Total Budget	$40,327.77

A. ALLOWABLE COSTS

Expenditures shall be limited to the allowable costs as stated in this agreement and in accordance with the Alabama Recycling Fund Grants Program as stated in Chapter 335-13-10. The Grantee shall not retain any grant funds in excess of actual Recycling Program expenses.

B. REVENUE DISBURSEMENT

Funds will be reimbursed to the responsible official as indicated on page 1 of this agreement unless otherwise stated below.

_____

_____

C. REIMBURSEMENT

To receive reimbursement, records to include receipts, proof of payment (cancelled checks and/or credit card statements), and invoices shall be submitted with each semiannual report. All reimbursement requests shall be signed by the responsible official as indicated on page 1 unless otherwise specified herein. All requests for advance funds shall be made to and approved by the Department before purchasing. Reimbursement for any purchases or agreement to purchase made prior to the effective date of this grant agreement without prior written approval may be determined to be ineligible for reimbursement. All requests for reimbursement must be submitted with the semiannual report received by October 15. The Department, at its sole discretion, may request additional justification or documentation relating to any expenditure of grant funds. If this grant agreement includes the disbursement of funds for any purpose as may be deemed operating subsidies by the Department, the grantee shall provide to the Department, in the form of a written report submitted within one (1) year of grant execution, documentation that such subsidies will no longer be required from any future Alabama Recycling Fund Grant or Fund disbursement.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

D. SWMP CONSISTENCY

If the Grantee has been awarded funding to revise a Solid Waste Management Plan (SWMP), the SWMP must first be revised and approved by the Department before reimbursement will be made for any other activities associated with this agreement.

III. AMENDMENTS

Any amendments or modifications to this grant agreement must be submitted by the listed responsible official and be approved by the Department in writing before becoming effective. Any and all amendments shall be as if incorporated herein.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

IV. REPORTING REQUIREMENTS

The grantee shall provide the Department semiannual reports as required by Attachment A: Scope of Services and shall comply with requests for information as the Department may require in order to fulfill the requirements of this agreement and applicable regulations regarding Alabama Recycling Fund Grants and recycling facility (materials recovery facility and recovered materials processing facility) regulations contained in Code of Alabama 335-13-10.

V. EVALUATION METHOD

The Grantee will evaluate the overall project as detailed in the Scope of Services. Such evaluations shall be reported in semi-annual and/or final reports submitted to the Department and are conditional for continued reimbursement as detailed in this Agreement.

VI. RETENTION OF DOCUMENTS

Department personnel will monitor the implementation and timeline of activities and expenditures covered under this agreement. All documents related to this agreement including requests for proposals, invoices, contractual agreements, reports, approvals and correspondence with the Department associated with this agreement must be kept updated and readily accessible to Department staff for at least five (5) years from the execution of the grant agreement and as otherwise required herein. Copies of records shall also be included with each semi-annual report submitted by the Grantee.

VII. FAILURE TO COMPLY

The Department may terminate a grant award in whole or in part and demand refund of grant funds when there is substantial non-compliance with the terms of the award or these rules, a determination made by the Department that the grant was obtained by fraudulent means, found that grant monies have been used for non-allowable costs, or a determination made by the Department that gross abuse or corrupt practices have been used in the administration of the grant project by the Grantee. The Department shall give written notice to the Grantee (via certified mail, return receipt requested) of its intent to terminate a Fund grant, in whole or in part, at least 30 days prior to the intended date of termination. The Department shall afford the Grantee an opportunity for consultation prior to any termination. After such opportunity for consultation, the Department may, in writing (via certified mail, return receipt requested) terminate the Fund in whole or in part. Such action may also result in the Department declaring the Grantee ineligible for further participation in the program until the Grantee complies with the terms of the grant agreement.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

VIII. PROMOTIONAL, EDUCATIONAL AND OTHER MATERIALS

A copy of promotional and educational materials developed as part of this agreement shall be submitted electronically to the Department prior to public distribution. The Department shall have the right to use any printed materials developed as part of this agreement in any manner the Department deems appropriate. The use of grant funds provided through this agreement utilized for the development and or publication of promotional, educational, and other materials shall cause the same to include the Department logo and the following statement, ***"This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund."*** Such materials shall be maintained by the grantee according to requirements for document retention included herein. Such materials may also not be copyrighted or reserved in any manner.

IX. COMPLIANCE WITH RELEVANT LAWS

The Recipient agrees to comply with all relevant federal, state, and local laws, ordinances or other requirements in the design, construction and operation of the facility, to specifically include environmental regulations. The Recipient shall comply with Affidavit and E-Verify requirements for *Ala. Code* §§ 31-13-9(a) and (b). Continued, substantial non-compliance may be considered as a failure to comply and result in termination of this agreement for cause. The Recipient is also subject to all provisions of the ADEM Administrative Code, the Solid Waste and Materials Management Act (SWRMMA), and other applicable requirements.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

This Agreement is entered into between the East Alabama Recycling Partnership (Grantee) and the Alabama Department of Environmental Management (Department) pursuant to an appropriation from the Alabama Recycling Fund (Fund). This Agreement will provide for a recycling project in Lee County, Alabama.

The parties hereto agree as follows:

1. Scope of Services

The Grantee will provide services as set out in the Scope of Services, which is included with this Agreement as Attachment A and which is incorporated as if fully set out herein.

2. Payment

A. The Department agrees to reimburse the Grantee an amount not to exceed $40,327.77 for the services performed under this Agreement. Unless otherwise specified in the workplan, any mileage, travel and per diem costs identified in the budget located herein will be reimbursed in accordance with state law.

B. Unless pre-approved by the Department, the Grantee shall submit invoices not more than once per semi-annual period and in conjunction with the semi-annual report to the Department for actual cost(s) incurred. The final invoice shall be submitted by October 15.

C. Prior to the purchase of any items or the execution of any printing contracts under this agreement with a value less than $1,000.00, one quote or attempt for a quote of outside costs, including but not limited to copying costs and freight terms, must be obtained. For items with a value from $1,000.00 to $3,000.00, two such quotes or attempts for quotes must be obtained. For items with a value greater than $3,000.00, three such quotes or attempts for quotes must be obtained. The purchase of any items or the execution of any contract shall comply with the Alabama Bid Laws Sections 41-16-20 et. Seq. of the Code of Alabama (1975).

3. Term of Agreement

All work performed under this Agreement shall begin on the date on which this Agreement is executed unless previously approved by the Department, and shall terminate 12 months from the date of execution unless extended by the Department. This Agreement is conditioned upon the receipt of sufficient funds from the Fund and is subject to termination in the event of proration of the Fund. If the term of this Agreement extends beyond one fiscal year, this Agreement is subject to termination in the event that funds are not appropriated for the continued payment of the contract in subsequent fiscal years. This Agreement may be amended by the mutual written agreement of both parties but under no circumstances shall the expiration date be extended or the contract amount be increased without approval in accordance with Section 29-2-41 Code of Alabama 1975.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grantee Initials _____

4. Termination of Agreement for Cause

If, through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligation under this Agreement, or if the Grantee shall violate any of the covenants, agreements or stipulations of this Agreement, the Department shall thereupon have the right to terminate this Agreement by giving written notice to the Grantee of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In that event, any finished or unfinished studies, reports or other work by the Grantee shall, at the option of the Department, become its property and the Grantee shall be entitled to receive just and equitable compensation for any satisfactory work completed under this Agreement.

5. Termination for Convenience of the Department

The Department may terminate this Agreement at any time by giving written notice to the Grantee of such termination and specifying the effective date thereof, at least 30 days before the effective date of such termination and under the same conditions as herein set forth for the Department, the Grantee may cancel this Agreement. In the event of cancellation, all finished or unfinished studies, reports or other work by the Grantee shall, at the option of the Department, become its property. If the Agreement is terminated by the Department as provided herein, the Grantee shall be paid for all work satisfactorily completed prior to termination.

6. Changes

The Department may, from time to time, require changes in the Scope of Services of the Grantee to be performed hereunder. Such changes, including any increases or decreases in the amount of the Grantee's compensation, which are mutually agreed upon by and between the Department and the Grantee shall be incorporated in written amendments to this Agreement.

7. Title VI and Equal Employment Opportunity

The Grantee will comply with Title VI of the Civil Rights Act of 1964 (88-352) to the end that in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this Agreement. There shall be no discrimination against any employee who is employed in the work covered by this Agreement, or against any applicant for such employment, because of race, color, religion, sex, national origin, age or disability covered by the Americans with Disabilities
Act. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. The Grantee shall insert a similar provision in all subagreements for services covered by this Agreement.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grantee Initials _____

8. Interest of Members of the Department and Others

No officer, member or employee of the Department and no members of the Environmental Management Commission, and no other public official of the governing body of the locality or localities in which the project is situated or being carried out who exercise any functions or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Agreement which affects his personal interest or have any personal or pecuniary interest, direct or indirect, in this agreement or the proceeds thereof.

9. Assignability

The Grantee shall not assign any interest in this Agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Department.

10. Findings Confidential

Any reports, information, data, etc., given to or prepared or assembled by the Grantee under this Agreement which the Department requests to be kept as confidential shall not be made available to any individual or organization by the Grantee without the prior written approval of the Department, unless such confidentiality would be contrary to the law of the State of Alabama or the United States.

11. Acknowledgment

Videos, films, computer disks, printed information or other materials produced for dissemination under this agreement must include the Department's logo, prominently displayed, along with the following acknowledgment:

> "This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund."

12. Reproducible Materials

Any printed information, photographs or art works delivered to the Department under this agreement shall be camera ready and/or computer ready as appropriate. The master tape of any video or audio productions will be delivered to the Department in an immediately reproducible form. Any computer program generated under this agreement will be delivered to the Department in an original and immediately reproducible form.

13. Officials Not to Benefit

No member of or delegate to the Congress of the United States of America, and no resident commissioner, shall be admitted to any share or part hereof or to any benefit to arise herefrom.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

14. Copyright

No reports, maps, or other documents or products produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Grantee.

15. Audits and Access to Records

The Grantee agrees to abide by the requirements of Code of Alabama 335-13-10. The Grantee agrees that the comptroller General of the United States or any of his/her duly authorized representatives, the Secretary of Commerce or any of his/her duly authorized representatives, the Director of the Department or any of his/her duly authorized representatives, and the Chief Examiner of the Department of Examiners of Public Accounts and any of his/her duly authorized representatives shall, until the expiration of five (5) years from the date of submission of the final report, have access to and the right to audit, examine, and make excerpts or transcripts from any directly pertinent books, documents, papers, and records of the Grantee involving this Agreement. The Grantee agrees to provide access to any or all documents, papers, records and directly pertinent books of the Grantee involving transaction related to this Agreement upon written request from the Department.

16. Taxes

The Grantee is responsible for reporting and making payment of any applicable federal and state taxes which may be due as a result of payments received pursuant to this Agreement.

17. Grantee Not Entitled to Merit System Benefits

In the case of Non-State Agencies under no circumstances shall the Grantee or any of its employees be entitled to receive the benefits granted to State employees under the Merit System Act by reason of this Agreement unless otherwise provided by law.

18. Not to Constitute a Debt of the State/Settlement of Claims

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute or Constitutional provision or amendment, either now in effect or which may, during the course of this Agreement, be enacted, then the conflicting provision in the Agreement shall be deemed null and void. The Grantee's sole remedy for the settlement of any and all disputes arising under the terms of this agreement shall be limited to the filing of a claim with the Board of Adjustment for the State of Alabama. For any disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative hearings or where appropriate, private mediators.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grantee Initials _____

19. Requisite Reviews and Approvals

The Grantee acknowledges and understands that this Agreement is not effective until it has received all requisite state government approvals and shall not begin performing work under this Agreement until notified to do so by the Alabama Department of Environmental Management.

20. Immigration Status.

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

CITY OF OPELIKA

By:_____
Gary Fuller
Mayor

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

By:_____
Lance R. LeFleur
Director

_____
As to Legal Form

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on this the _____ day of _____, _____.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

ATTACHMENT A

SCOPE OF SERVICES

Upon the effective date of Agreement signature, the East Alabama Recycling Partnership (Grantee), agrees to effectively and expeditiously facilitate the following Scope of Services:

1. The Grantee will follow and abide by the Agreement as approved or amended. The Grantee will obtain permission from the Department for project related changes or modifications, revisions, and/or amendments to the latest approved agreement prior to expenditure of funds.

2. No deviations from the approved project budget or expenditure of funds other than for the purposes stated in the latest approved agreement are authorized without prior approval from the Department.

3. All funded project reports and financial records will be maintained by the recipient and made available for review and disclosure for a minimum of five years following the grant closeout.

4. The Grantee will submit the first semiannual report to the Department on April 15th. A comprehensive final semiannual report to include an Executive Summary (generalized project summary) will be submitted by the Grantee to the Department by October 15th. All project outputs and deliverables must be completed by the project end date, September 30th. These semi-annual reports will, at a minimum, include:

    - The status/outcome of each project objective and milestone per project application agreement
    - Expenditures of any ARF funds and local funds (documentation for local funds is not required). Required documents needed for ARF grant reimbursements shall include invoices, receipts, proof of payment (cancelled checks and/or credit card statements), and any additional documentation the Department deems necessary.
    - Quantity of recyclable materials collected by material type with out-of-state generated materials reported separately from in-state
    - Price(s) received for marketed recyclables by material type
    - Destination of marketed materials,
    - Documented increase in collections and participation (tonnage prior to implementation vs. tonnage at project completion)
    - If asking for education and outreach funding, include a description of any education or public outreach components and an explanation of how the educational component will directly promote the use of existing or planned local recycling projects.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grantee Initials _____

- Location/addresses of public recycling bins/containers (lat/long if available)

5. If estimation is utilized in providing data, the method of estimation shall also be included in each semi-annual report. Reports shall not be inconsistent with accounting and record-keeping methods such entities may be required to follow by the Alabama Department of Examiners of Public Accounts.

6. Project related videos, films, computer disks, printed information, and other products or materials produced using Alabama Recycling Grant funds must include the Department logo, prominently displayed, along with the following prominently and conspicuously displayed acknowledgement language: ***"This project was funded or partially funded by the Alabama Department of Environmental Management through a grant from the Alabama Recycling Fund."***

7. All education and training related videos, films, computer diskettes, manuals, brochures, and other products and material outputs/deliverables produced will be submitted by the Grantee in Draft form to the Department for review and approval prior to additional grant funds being expended for Final deliverable/output products to be printed, produced, copied, or disseminated.

8. The Grantee agrees to submit at least one project description or project status news article for distribution to local area newspapers or to various other local public media for potential publication or dissemination in any manner as the Department may determine

9. New recycling programs must register on Re-TRAC Connect and be set up to report, if applicable and directed to do so by the Department. Existing recycling programs must be registered on Re-TRAC Connect and in good standing, if applicable and directed to do so by the Department.

10. The Grantee agrees to comply with all requirements and conditions specified in local, state, or federal rules, regulations, laws or ordinances. Grant funding for this project is, at a minimum, subject to Alabama Recycling Fund Grant Regulations contained in ADEM Administrative Code 335-13-10.

11. The Grantee will inform the Department as soon as problems, delays, or adverse conditions become known which will materially impair the ability to complete this Agreement, or to meet outputs/outcomes/milestones specified in this Agreement, for the duration of the Agreement.

12. Property (equipment greater than $5,000 cost) that is purchased in whole or in part with grant funds must be properly managed and used solely for recycling purposes (e.g. inventory, control system, maintenance, storage, etc.,) for at least five years.

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

Grant # ARF20-06-188

Grantee Initials _____

ATTACHMENT B

PROJECT BUDGET

Lee County	
Steel Dumping Hoppers (6)	$8,424.00
Auburn University	
Vertical Baler	$11,800.00
City of Opelika	
8' Collection Trailer	$2,400.00
14' Collection Trailers (2)	$7,000.00
96-Gallon Carts (200)	$10,703.77
Total	**$40,327.77**

Attachment: scan (131-20 : Agreement with ADEM for Recycling Fund Grant - OES.)

RESOLUTION NO. 132-20

Approve Professional Services Agreement with City of Auburn.

Professional Services with City of Auburn

RESOLUTION NO. _____

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BY AND AMONG THE CITY OF OPELIKA, ALABAMA, THE CITY OF AUBURN, ALABAMA AND THE AUBURN GAME DAY LAW ENFORCEMENT CORPORATION

FOR GAME DAY SUPPORT SERVICES

WHEREAS, the City of Opelika maintains and staffs the Opelika Fire Department for the purpose of fire protection, prevention, rescue, emergency medical services, hazardous material, technical rescue and support services; and

WHEREAS, The Auburn Game Day Law Enforcement Corporation (the "Company") desires the assistance of the City's Fire Department to provide support services to include, but not limited to fire suppression and emergency medical services at the Auburn University Regional Airport during major sporting events and/or special events; and

WHEREAS, the Opelika Fire Department shall render the above services under the direction and supervision of the City of Auburn Police Chief and/or his/her designee; and

WHEREAS, a proposed Professional Services Contract (the "Contract") to be entered into by and among the City, the City of Auburn and the Company has been prepared and submitted to the City Council for approval, and the City Council has determined that it is now in the best interest of the City and its citizens to approve said Contract.

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

Alabama, as follows:

1. That the proposed inter-governmental Professional Services Contract to be entered into by and among the City of Opelika, the City of Auburn, and The Auburn Game Day Law Enforcement Corporation a copy of which is attached hereto and marked Exhibit "A", be and the same is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition, deletion or substitution) as the Mayor shall approve which approval shall be conclusively evidenced by execution and delivery of said Contract.

2. That the Mayor is hereby authorized and directed to execute and deliver said Contract 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 Contract.

4. 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

ATTEST:

_____

CITY CLERK

Auburn Game Day Law Enforcement Corporation
Professional Services Contract

This Professional Services Contract (the "Agreement") made and entered into on this the ___ day of _____, 2020, by and between The Auburn Game Day Law Enforcement Corporation, an Alabama corporation (the "Company"), the City of Auburn, Alabama, a municipal corporation (the "City") and City of Opelika/ Opelika Fire Department (Assisting Agency).

The parties hereby state and agree as follows:

1. The City has entered into a Professional Services Contract with Auburn University (the "University") whereby the City agrees to provide Law Enforcement Officers; Fire; Communications and Judicial personnel with the City as well as assisting agencies to provide security and traffic direction for University athletic and other special events.

2. City of Opelika/ Opelika Fire Department (Assisting Agency), acting in support of City of Auburn (Auburn) Public Safety/Police Division shall provide public safety services.

3. The Assisting Agency, acting in support of the City's Public Safety Department/Police Division, shall provide support services to include, but not limited to crowd control, traffic direction, and security at Auburn University campus locations during major sporting events and/or special events. Fire personnel shall provide support services to include, but not limited to airport standby, fire suppression, and EMS services.

4. The Assisting Agency shall render the above services under the direction and supervision of the City of Auburn Police Chief or his/her designee.

5. The Assisting Agency shall provide the above services during the time period from August 1, 2020 to July 31, 2021.

6. The Assisting Agency will be compensated by the City on behalf of the Company for the above services at the following rates: Fire Supervisor: $38.00/hr.; Fire Non-supervisor: $30.00/hr. The Assisting Agency's liability for services provided under this Agreement shall be limited to the intentional and/or negligent acts or omissions of its employees.

7. Agencies providing K9 Teams shall have their dog(s) leashed at all times in order to maintain control. In the event there is an area deemed unreachable, K9 teams may go through a supervisor to request an Explosive Ordinance Disposal (EOD) Technician conduct the search.

8. The Assisting Agency will receive compensation for services provided within ten working days of the receipt of an approved invoice.

9. The Assisting Agency **will not** be compensated for travel expenses.

10. The Company shall secure and provide to Assisting Agency's employees Workers Compensation Insurance.

11. The Assisting Agency agrees to comply with all applicable Federal and State laws and regulations in the performance of this Contract. Assisting Agency represents that it is an Equal Opportunity Employer and does not discriminate on the grounds of disability, age, race, color, religion, sex, national origin, veteran status, genetic information or any other classification protected by Federal and/or Alabama state constitutional and/or statutory law.

Attachment: AU Contract 2020 (132-20 : Approve Professional Services Agreement with City of Auburn.)

This contract has been reviewed and accepted by the undersigned on this the ___ day of _____, 2020.

ASSISTING AGENCY

_____	Mayor Gary Fuller
Signature	Name
City of Opelika	204 7th Street South
Agency Name	Address
63-6001334	Opelika, AL 36801
Tax I.D. Number	City, State, Zip Code

AUBURN GAME DAY LAW ENFORCEMENT CORPORATION

_____
President

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this _____ day of _____, 2020.

ATTEST:

_____	_____
Mayor	City Manager

Attachment: AU Contract 2020 (132-20 : Approve Professional Services Agreement with City of Auburn.)

RESOLUTION NO. 133-20

Approve Change Order for Covington Rec Center Project - P&R.

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 TO THE CONTRACT BETWEEN THE CITY OF OPELIKA AND WHATLEY CONSTRUCTION LLC. FOR THE COVINGTON RECREATION CENTER RENOVATIONS PROJECT

WHEREAS, the City Council of the City of Opelika, Alabama previously approved a Contract dated as of April 7, 2020, by and between the City of Opelika, Alabama (the "City") and Whatley Construction, LLC for Covington Recreation Center Renovations Project; and

WHEREAS, the construction manager has advised that a change order is a necessity for unforeseen conditions and additional added value items; and

WHEREAS, Change Order Number 1 to the Contract between the City and Whatley Construction LLC, has been submitted to the City Council for approval; and

WHEREAS, Change Order Number 1 will increase the total contract amount by an additional $44,362.00, resulting in a new contract amount of $1,841,172.00; 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 construction manager 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 construction manager 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 July 16, 2020, between the City and Whatley Construction, LLC, 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

Exhibit A

CITY OF OPELIKA

CHANGE ORDER

PURCHASE ORDER NUMBER _____ **CHANGE ORDER NUMBER** 1

DATE PO ISSUED _____ **EFFECTIVE DATE OF CHANGE** 7/16/20

BID NUMBER _____ **ACCOUNT NUMBER** _____

DEPARTMENT _____

Whatley Construction, LLC
NAME OF VENDOR

710 Fox Run Parkway
ADDRESS

Opelika AL 36801
CITY **STATE** **ZIP**

DESCRIPTION OF PROJECT AND REASON FOR CHANGE:

Covington Recreation Center Renovations

Due to unforeseen conditions, value-adding items requested by Owner, and minor design clarifications, a total of $44,362 should be added to Whatley Construction's contract total.

A contingency total of up to 10% of the original contract value should be made available to the General Contractor for any additional changes not contemplated during the design phase.

Fifteen (15) working days has been requested by Whatley Construction to ensure enough time to complete additional changes.

Attachment: 7-21-20 - RENOVATION TO COVINGTON RECREATION CENTER 20014 - CNCL PKT (133-20 : Approve Change Order for Covington

ORIGINAL CONTRACT AMOUNT:	**$1,796,810.00**
CONTRACT AMOUNT PRIOR CHANGE:	**$1,796,810.00**
THIS INCREASE:	**$44,362.00**
THIS DECREASE:	
NEW CONTRACT AMOUNT:	**$1,841,172.00**

NEW DATE OF COMPLETION: **November 20, 2020**

CHANGE APPROVED AND ADOPTED THIS _____ DAY _____

GARY FULLER
MAYOR

Attachment: 7-21-20 - RENOVATION TO COVINGTON RECREATION CENTER 20014 - CNCL PKT (133-20 : Approve Change Order for Covington

RESOLUTION NO. 134-20

Weed Abatement Assessment - 808 Donald Ave.

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT

FOR WEED LIEN AGAINST PROPERTY LOCATED AT

808 Donald Ave, Parcel No. 147.000

==========

WHEREAS, the weed nuisance growing upon or in front of the property located at 808 Donald Ave, parcel no. 147.000 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 808 Donald Ave, a copy of said itemized statement being attached hereto as Exhibit “A”; and

WHEREAS, the 21st day of July, 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 $165.48 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 808 Donald Ave, Parcel no. 147.000 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 43-10-04-18-2-002-147.000 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.

_____

President of the City Council

City of Opelika, Alabama

Attest:

_____

Russell A Jones

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

To: Robert Calloway Jr.
1801 Century Blvd
Opelika Al. 36801

July 7, 2020

Property Address:
808 Donald Ave
Opelika Al. 36801
Parcel # 10-04-18-2-002-147.000

On May 28, 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: 152.50

Certified mail: 13.34

Misc. _____

Total 165.48

Attachment: WEED INVOICE 808 Donald Ave (134-20 : Weed Abatement Assessment - 808 Donald Ave.)

RESOLUTION NO. 135-20

Weed Abatement Assessment - 814 Donald Ave.

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT

FOR WEED LIEN AGAINST PROPERTY LOCATED AT

814 Donald Ave, Parcel No. 149.000

==========

WHEREAS, the weed nuisance growing upon or in front of the property located at 814 Donald Ave, parcel no. 149.000 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 814 Donald Ave, a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 21st day of July, 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 $164.59 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 814 Donald Ave, Parcel no. 149.000 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 43-10-04-18-2-002-149.000 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.

_____

President of the City Council

City of Opelika, Alabama

Attest:

_____

Russell A Jones

City Clerk - City Treasurer

WEED ABATEMENT INVOICE

To: Estelle Russaw Estate c/o Bertha Phipps **July 7, 2020**
13636 Santa Rose Dr.
Detroit MI 48238

Property Address:
814 Donald Ave
Opelika Al. 36801
Parcel # 10-04-18-2-002-149.000

On May 28, 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: 151.25

Certified mail: 13.34

Misc. _____

Total 164.59

Attachment: WEED INVOICE 814 Donald Ave (135-20 : Weed Abatement Assessment - 814 Donald Ave.)

RESOLUTION NO. 136-20

Weed Abatement Assessment - 411 S 4th St.

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT

FOR WEED LIEN AGAINST PROPERTY LOCATED AT

411 S 4th St., Parcel No. 028.000

==========

WHEREAS, the weed nuisance growing upon or in front of the property located at 411 S 4th St., parcel no. 028.000 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 411 S 4th St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 21st day of July, 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 $143.89 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 411 S 4th St., Parcel no. 028.000 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 43-10-03-08-3-000-028.000 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: 07/07/2020

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

Property Address:
411 S 4th St
Opelika Al. 36801
Parcel # 10-03-08-3-000-028.000

On June 6, 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: 133.75

Certified mail: 13.34

Misc. _____

Total 143.89

Attachment: WEED INVOICE 411 S 4th St. (136-20 : Weed Abatement Assessment - 411 S 4th St.)

RESOLUTION NO. 137-20

Weed Abatement Assessment - 504 S 4th St.

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF ASSESSMENT

FOR WEED LIEN AGAINST PROPERTY LOCATED AT

504 S 4th St., Parcel No. 104.000

==========

WHEREAS, the weed nuisance growing upon or in front of the property located at 504 S 4th St., parcel no. 104.000 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 504 S 4th St., a copy of said itemized statement being attached hereto as Exhibit "A"; and

WHEREAS, the 21st day of July, 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 $513.34 is hereby assessed against the parcel of land mentioned in said itemized statement, to wit: 504 S 4th St., Parcel no. 104.000 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 43-10-03-08-3-000-104.000 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: 07/07/2020

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

Property Address:
504 S 4th St
Opelika Al. 36801
Parcel # 10-03-08-3-000-104.000

On June 6, 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: 500.00

Certified mail: 13.34

Misc. _____

Total 513.34

Attachment: WEED INVOICE 504 S 4th St. (137-20 : Weed Abatement Assessment - 504 S 4th St.)

RESOLUTION NO. 138-20

Adjust Compensation for the Public Defender.

RESOLUTION NO. _____

RESOLUTION ESTABLISHING COMPENSATION OF

PUBLIC DEFENDER

WHEREAS, the judicial power of the City of Opelika, Alabama (the "City") is vested in the Opelika Municipal Court; and

WHEREAS, a part-time Public Defender is appointed by the governing body; and

WHEREAS, the Public Defender is entitled to receive compensation for her professional services; and

WHEREAS, the Public Defender has not received a salary increase since January 1, 2014; and

WHEREAS, the City Council desires to adjust, increase and fix the compensation of the Public Defender; and

WHEREAS, the City Council finds that the requested increase is appropriate and reasonable.

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

1. Beginning August 1, 2020, the Public Defender shall be paid a salary of $2,000.00 per month for professional services.

2. The Public Defender shall not be eligible to receive any City employee benefits; including, but not limited to, retirement, health insurance and other allowances.

3. The Mayor and the Controller are hereby authorized and directed to make the budget adjustments as necessary to fund the payment of professional service fees for the Public Defender as provided in this Resolution.

4. This Resolution and the salary provided for herein shall become effective on August 1, 2020.

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

_____

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

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 139-20

Approve Special Appropriation to EAMC Foundation.

RESOLUTION NO. _____

RESOLUTION APPROVING SPECIAL APPROPRIATION TO EAST ALABAMA MEDICAL CENTER FOUNDATION

WHEREAS, East Alabama Medical Center Foundation (the "Foundation") is a 501(c)(3) charitable organization; and

WHEREAS, the Foundation is the fundraising arm of East Alabama Medical Center ("EAMC"); and

WHEREAS, the Foundation promotes and supports the programs and activities of the EAMC, a regional public hospital; and

WHEREAS, EAMC is an integral part of the healthcare landscape of the City of Opelika (the "City"); and

WHEREAS, EAMC is vital to the economic development of the City and the surrounding area; and

WHEREAS, each year the Foundation holds an annual "Christmas Ball" to promote the programs and services of EAMC in providing high-quality, compassionate healthcare to our community; and

WHEREAS, the 2020 Christmas Ball will benefit the neonatal intensive care unit to be located on the third floor of the East Alabama Medical Center, 2000 Pepperell Parkway, in the corporate limits of the City of Opelika, Alabama; and

WHEREAS, the neonatal intensive care unit will provide around-the-clock care to sick or premature babies; and

WHEREAS, the Foundation has requested a donation from the City to help defray the cost of the annual "Christmas Ball" and to benefit the activities and programs of EAMC; and

WHEREAS, the City Council desires to approve a special appropriation in the amount of $10,000.00 to the Foundation.

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

1. That there is hereby approved a special appropriation in the amount of $10,000 to the Foundation.

2. That the City Council hereby declares and determines that the expenditure of said funds will serve a public purpose by promoting the goals and objectives of EAMC.

3. That the City Administrator has certified that there are sufficient funds in the current budget to cover said appropriation, and the Controller is hereby authorized to make all necessary and appropriate budget and accounting entries necessary to implement this Resolution.

4. That the City Administrator is directed to prepare the appropriate documents so that a check in the amount of $10,000.00 can be issued payable to East Alabama Medical Center Foundation.

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

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

_____

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

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 140-20

Appoint City Clerk as the City Election & Absentee Manager.

RESOLUTION NO. _____

RESOLUTION APPOINTING CITY CLERK TO SUPERVISE THE MUNICIPAL ELECTION AND TO SERVE AS ABSENTEE ELECTION MANAGER

WHEREAS, the Honorable Gary Fuller, Mayor of the City of Opelika, Alabama, is a candidate of the office of Mayor in the General Municipal Election to be held on August 25, 2020; and

WHEREAS, the Honorable Gary Fuller, as Mayor of the City of Opelika, Alabama, would ordinarily be charged with the supervision of said election.

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

1. That the Honorable Russell A. Jones, City Clerk-Treasurer, be and he is hereby authorized by the City Council of the City of Opelika to supervise the General Municipal Election to be held on August 25, 2020 and the runoff election, if required, on October 6, 2020.

2. That the Honorable Russell A. Jones, City Clerk-Treasurer, be and he is hereby also appointed Absentee Election Manager to handle absentee ballots and perform such other duties as required by law in and about the holding of the August 25, 2020 General Municipal Election, and if necessary, a runoff election on October 6, 2020.

ADOPTED AND APPROVED this the _____ day of _____ 2020.

_____

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

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 141-20

Approve Budget for New Opelika Public Library - LIB.

RESOLUTION NO. _____

RESOLUTION APPROVING BUDGET FOR THE NEW LIBRARY BUILDING

WHEREAS, the City of Opelika, Alabama, a municipal corporation organized under the laws of the State of Alabama (the "City") has determined that the City for general municipal purposes will develop and construct a new Library building to be located at 1100 Glenn Street, Opelika, Alabama (the "Project"); and

WHEREAS, the City Council previously authorized The Robins & Morton Group, as construction manager, to prepare a detailed budget for the Project with design plans acceptable to the City; and

WHEREAS, Robins & Morton has provided a detailed Project budget to the City which is acceptable to the City Council; and

WHEREAS, the City Council desires to adopt a total project budget, to include all costs associated with the design, construction and administration of the Project, including costs associated with the demolition of the existing building, whether such costs have been expended or will be expended in the future.

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

1. That the City Council does hereby approve a total project development budget for

the Project in an amount not to exceed $11,876,188.00.

2. That a copy of the approved project development budget is attached hereto and marked as Exhibit “A”.

3. That all expenditures associated with the Project shall be paid from the Unassigned Fund Balance, and that the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

4. That the Purchasing-Revenue Manager is hereby authorized and directed to issue such purchase orders as may be necessary to carry out the provisions of this Resolution.

5. That the Mayor or his duly authorized representative is hereby authorized to approve for payment all invoices in accordance with the approved Project budget or as otherwise approved by the City Council.

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

Exhibit A

#20026 Opelika Public Library

Opelika, AL

ROBINS & MORTON

Program Budget - Executive Summary		Updated	7/15/20

#	Description	Contractor / Vendor	TOTAL	Cost / SF
BUILDING CONSTRUCTION:				
1	BP 1 General Works	Freeman & Associates	$ 5,100,000	$ 204.79
2	BP-2 Structural Steel	SteelFab	$ 579,216	$ 23.26
3	BP-3 Mechanical	Bradley Plumbing	$ 1,201,000	$ 48.23
4	BP-4 Electrical	Auburn Electric	$ 1,570,000	$ 63.04
5	**SUBTOTAL - CONSTRUCTION:**		**$ 8,450,216**	**$ 339.31**
FURNITURE, FIXTURES & EQUIPMENT:				
6	Furniture / Interior Furnishings	Alabama Office Supply	$ 196,646	$ 7.90
7	Book Shelving / Library Furnishings	The Library Furniture Guy	$ 501,463	$ 20.14
8	IT Equipment (Computers/Cables/Infrastructure)	CDW-G	$ 79,573	$ 3.20
9	IT Equipment (Computers/Laptops/Monitors)	DELL	$ 51,400	$ 2.06
10	**SUBTOTAL - FF&E:**		**$ 829,082**	**$ 33.29**
PROJECT SOFT COSTS:				
11	Design and Consulting Services	Lathan Architects	$ 694,399	$ 27.88
12	CM Preconstruction & Construction Services	Robins & Morton	$ 1,479,980	$ 59.43
13	Owner/Project Contingency	City of Opelika	$ 422,511	$ 16.97
14	**SUBTOTAL - PROJECT SOFT COSTS:**		**$ 2,596,890**	**$ 104.28**
15	**TOTAL PROJECT COST:**		**$ 11,876,188**	**$ 476.88**

Attachment: 7-21-20 - OPELIKA PUBLIC LIBRARY 20026 - CNCL PKT (141-20 : Approve Budget for New

RESOLUTION NO. 142-20

Amend Agreement with CDG Engineers and Associates for N. Uniroyal Rd. Bridge Design

RESOLUTION NO. _____

RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE CITY OF OPELIKA AND CDG ENGINEERS AND ASSOCIATES FOR DESIGN SERVICES ASSOCIATED WITH THE BRIDGE REPLACEMENT ON NORTH UNIROYAL ROAD

WHEREAS, on November 5, 2013 the City Council approved Resolution No. 397-13, which approved an Agreement for Professional Engineering Services (the "Agreement") between the City of Opelika (the "City") and CDG Engineers and Associates, Inc. ("CDG") for engineering design services associated with the Bridge Replacement Project on North Uniroyal Road; and

WHEREAS, certain amendments to the Agreement are required to accommodate additional roadway widening and pavement build up, structural design special wing walls, and to relocate an existing 24-inch water main in conflict with the proposed bridge replacement project; and

WHEREAS, the amendments will increase the contract price for $162,550.00 to $212,050.00, an increase of $49,500.00; and

WHEREAS, funds for said additional compensation are available in the Unassigned Fund Balance; and

WHEREAS, a proposed First Amendment to the Agreement (hereinafter the "First Amendment") has been prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said First Amendment; and

WHEREAS, to the extent not specifically amended by the First Amendment, the Agreement will remain in full force and effect.

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

1. That the proposed First Amendment to the Agreement for Professional Engineering Services to be entered into between the City and CDG, a copy of which is attached hereto as Exhibit "A", is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto (by addition or deletion) as the Mayor shall approve, which approval shall be conclusively evidenced by execution and delivery of said First Amendment.

2. That the Mayor is hereby authorized and directed to execute and deliver said First Amendment for and on behalf and in the name of the City.

3. That compensation for CDG's services as provided in the First Amendment shall come from the Unassigned Fund Balance and the Controller is hereby authorized and directed to make all necessary and appropriate budget adjustments to implement this Resolution.

4. That the Purchasing-Revenue Manager is hereby authorized and directed to issue a purchase order to CDG for provision of services as outlined in the First Amendment.

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

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

_____

PRESIDENT OF THE CITY COUNCIL OF THE

CITY OF OPELIKA, ALABAMA

ATTEST:

_____

CITY CLERK

Attachment: Exhibit A--Amendment No. 1 to Engineering Services Agreement (142-20 : Amend Agreement with CDG Engineers and Associates

Engineering. Environmental. Answers.

Amendment to Agreement for Engineering Services

Amendment #: 1	
Date: June 26, 2020	CDG Project Number: 331471301
CDG Project Name: Bridge Replacement on North Uniroyal Drive	CDG Project Location: Opelika, Alabama

In accordance with the Agreement for Engineering Services dated November 6, 2013 between CDG Engineers& Associates, Inc. ("ENGINEER") and City of Opelika ("OWNER"), this written amendment confirms the authorized and accepted additional services to be performed by the ENGINEER at the price or rates specified below.

ADDITIONAL SCOPE OF WORK IS AS FOLLOWS:

ARTICLE 1. Basic Services

Additional Structural Bridge Details

The bridge structure selected by the City of Opelika will require modification of standard ALDOT Precast Bridge Details to facilitate a wider bridge deck, which will accommodate additional roadway widening in the future if deemed necessary**.**

The detailed scope of work and exclusions for the project are presented below.

1.7 The ENGINEER will perform a structural analysis of the bridge superstructure based on modified bridge width, cast-in-place curb and guardrail bolted to curb as necessary for the OWNER-selected 42' clear roadway width precast bridge structure, with special design 90 degree wingwalls.

1.8 The ENGINEER will perform a structural analysis of the bridge substructure including pile loads for modified bridge width.

1.9 The ENGINEER will evaluate the wire rope abutment anchor configuration for 90 degree angle wingwalls.

1.10 The ENGINEER will prepare structural plan details as required for special design end bents, 90 degree angle wingwalls, modified abutment panels, bolt-on bridge curb, and modified wire rope assembly. The following ALDOT standard drawings will require modification: Indexes 51205, 51206, 51216, 51233, 51239, & 51260. All other necessary detailing with be referenced according to ALDOT Standard Drawings.

1.11 The ENGINEER will provide draft plans for OWNER review and approval. After addressing any comments, the ENGINEER will provide final signed and sealed plans.

Materials Report Revision

1.12 The ENGINEER will re-design the pavement section recommendations to align with recent traffic count data collected and provided by the OWNER.

Water Main Relocation

The City of Opelika (City) is requesting Engineering Services associated with the relocation of an existing 24-inch ductile iron (DI) water main in conflict with the proposed bridge replacement project. The main is operated by Opelika Utilities.

The existing main is located on the east side of the current bridge. The main is expected to be relocated for a distance between 250 to 300 linear feet on the same side as the existing main. In order to accommodate the relocation, along with the expected relocation of an 8-inch gas main (by Southeast Gas), it is anticipated that the new main will require an easement to be parallel to the existing right-of-way.

The project is expected to be incorporated into the overall plans for the bridge replacement project currently being designed by CDG for the City. Funds for the project are expected to be 100% City funds.

The detailed scope of work and exclusions for the project are presented below.

Design

1.13 The ENGINEER will establish & confirm existing topography and conditions.

1.14 The ENGINEER will develop a preliminary alignment and review with the City and Opelika Utilities (OU). The preliminary plan view sheet (30%) is anticipated to indicate the distance of the main from the existing edge of pavement, the location of the creek crossing, and the general configuration of tie-ins.

1.15 Following City and OU approval of the alignment, the ENGINEER will prepare draft-final (90%) construction plans. Plans shall include a plan and profile, as well as relevant details, which are expected to include details provided from OU.

1.16 The ENGINEER will prepare technical specifications and incorporate into the Contract Documents for the bridge replacement project.

1.17 The ENGINEER will review 90% plans and specifications with the City and OU and revised based on comments received.

1.18 The ENGINEER will complete and incorporate final plans and specifications into the Contract Documents prepared for the bridge replacement.

Attachment: Exhibit A--Amendment No. 1 to Engineering Services Agreement (142-20 : Amend Agreement with CDG Engineers and Associates

Permitting

1.19 It is anticipated that the water main will cross the tributary by open cut methods. As such, the ENGINEER will coordinate with the U.S. Army Corps of Engineers (USACE) in connection with the creek crossing. It is anticipated and contemplated that the work is covered by Nationwide Permit (NWP) 12 – Utility Line Activities under Section 404 of the Clean Water Act. Individual permitting is not anticipated. The ENGINEER will submit the necessary permit application to the USACE on behalf of the City, along with City-provided permitting fees where applicable.

Easements

1.20 Easements are anticipated to include either a permanent easement, a temporary construction easement (TCE), or some combination thereof. The ENGINEER will assist the City and/or Opelika Utilities in obtaining any easements necessary by providing the following services:

- Research existing properties and field survey property and section corners as needed to establish a basis for developing easements.
- Prepare tract sketches and easement descriptions based on final alignment. It is estimated that no more than two (2) descriptions will be needed.
- Submit preliminary items to City and/or OU personnel for an initial review.
- Address any comments from the initial review and submit final easement tract sketches and descriptions for the City or OU to secure the easement(s).

Exclusions

- Additional geotechnical investigations;
- Any alternative designs such as suspending on the bridge or piers, or boring.
- Title searches or appraisals for use in acquisition of easements;
- Easement negotiations;
- Environmental studies or reports;
- Wetland permitting;
- Environmental documentation of any level;
- FEMA flood studies or flood plain map revisions;
- Any agency fees associated with obtaining permits; and
- Construction observation/inspection services.

Attachment: Exhibit A--Amendment No. 1 to Engineering Services Agreement (142-20 : Amend Agreement with CDG Engineers and Associates

ARTICLE 4. Compensation

4.1.1 The OWNER agrees to pay to the ENGINEER, in cash, total compensation of **Thirty one Thousand, Four Hundred and 00/100 Dollars ($31,400.00),** to be paid periodically as work progresses for Additional Structural Bridge Details and Materials Report Revision per Paragraphs 1.7 - 1.12 above.

4.1.2 The OWNER agrees to pay to the ENGINEER, in cash, total compensation of **Eighteen Thousand, One Hundred and 00/100 Dollars ($18,100.00),** to be paid periodically as work progresses for Water Main Relocation per Paragraphs 1.13 - 1.20 above

1. Approval and acceptance of the terms and conditions of this Amendment is acknowledged by the signature of the undersigned authorized representatives of the parties to this Agreement.
2. This project, including but not limited to this amendment, is governed by the Agreement for Engineering Services referenced above (which is incorporated by reference). Except as specifically modified or addressed by this Amendment, all terms and conditions of the Agreement for Engineering Services shall remain in full force and effect.

WHEREFORE, the undersigned, by their signatures, certify that they have carefully read this Amendment #1, understood the terms and conditions as contained in the Agreement for Engineering Services as described above, have proper authority to execute this Amendment, and do so as their own free act.

Owner:	City of Opelika	Engineer:	CDG Engineers & Associates, Inc.
By:		By:	
Title:		Title:	Chief Operating Officer
Date:		Date:	06/30/20

05/03/10

Attachment: Exhibit A--Amendment No. 1 to Engineering Services Agreement (142-20 : Amend Agreement with CDG Engineers and Associates

RESOLUTION NO. 143-20

Approve Memorandum of Understanding between the City of Opelika and Envision Foundation as Sponsor of Creekline Trails of Opelika.

RESOLUTION NO. _____

RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF OPELIKA AND ENVISION OPELIKA FOUNDATION, INC. AS SPONSOR OF CREEKLINE TRAILS OF OPELIKA

WHEREAS, Envision Opelika Foundation (the "Foundation") is a 501(c)(3) tax exempt non-profit corporation; and

WHEREAS, the Foundation is sponsoring the programs and activities of Creekline Trails of Opelika ("Creekline"); and

WHEREAS, Creekline has proposed a series of trails and paths along Opelika's streams and roadways; and

WHEREAS, the City of Opelika (the "City") desires, with cooperation of Creekline, to create a recreation system consisting of ADA-friendly multiuse paths and nature trails along scenic streams and major thoroughfares and a robust system of bike lanes; and

WHEREAS, the City and Creekline have developed an excellent working relationship; and

WHEREAS, the City and the Foundation, as the fiscal sponsor of Creekline, desire to formalize their relationship through a Memorandum of Understanding; and

WHEREAS, a proposed Memorandum of Understanding (the "MOU") be entered into between the City and the Foundation, as the sponsor of Creekline, has been prepared and submitted to the City Council for approval and the City Council has determined that it is now in the best interest of the City and its citizens to approve said MOU.

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

1. That the proposed MOU to be entered into between the City and the Foundation, a copy of which is attached hereto as Exhibit "A", is hereby approved, authorized, ratified and confirmed in the form substantially submitted to the City Council with such changes thereto as the Mayor shall approve, which approval shall be conclusively evidenced by execution and delivery of said MOU.

2. That the Mayor is hereby authorize and directed to execute and deliver said MOU for and on behalf and in the name of the City.

3. 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 CITY COUNCIL

OF THE CITY OF OPELIKA

ATTEST:

_____

Russell A. Jones

City Clerk / Treasurer

MEMORANDUM OF UNDERSTANDING

by and between

CITY OF OPELIKA, ALABAMA

and

ENVISION OPELIKA FOUNDATION, INC.

AS A SPONSOR OF CREEKLINE TRAILS OF OPELIKA

July 2020

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

This Memorandum of Understanding (MOU), hereinafter referred to as the Memorandum, entered into on this ____ day of July, 2020, by and between Envision Opelika Foundation, Inc. (the Foundation) an Alabama nonprofit corporation, whose address is 1103 Glenn Street, Opelika, Alabama 36801, as the fiscal sponsor of Creekline Trails of Opelika, an unincorporated association, hereinafter referred to as "Creekline Trails" and the City of Opelika, Alabama, whose address is 204 South 7th Street Opelika, Alabama 36801, hereinafter referred to as the "City," and collectively known as the "Parties," for the purpose of establishing and achieving various goals and objectives relating to the partnership.

WHEREAS, the aforementioned Parties desire to enter into the herein described agreement in which they shall work together to accomplish the goals and objectives set forth;

AND WHEREAS, the Parties are desirous to enter into an understanding, thus setting out all necessary working arrangements that both Parties agree shall be necessary to complete this partnership.

MISSION

The aforementioned partnership has been established with the following intended mission in mind:

To create a recreation system consisting of ADA-friendly multiuse paths and nature trails along scenic streams and major thoroughfares; greenways, greenspace, and pocket parks connected to parks, schools, and businesses; and a robust system of bike lanes for safe, alternative transportation throughout Opelika and beyond.

PURPOSE AND SCOPE

The Parties intend for this Memorandum of Understanding to provide the cornerstone and structure for any and all possibly impending binding contract which may be related to the partnership.

OBJECTIVES

Creekline Trails of Opelika and the City of Opelika have developed an excellent working relationship through which good progress has been achieved. In order to continue making progress, the Parties desire to formalize their relationship through this Memorandum of Understanding. The Parties shall endeavor to continue working together to develop and establish policies and procedures that will promote and sustain positive growth for the City and an increased quality of life of the residence and visitors. Whereas Creekline Trails intends the project will contribute to the goals of the City, its residents, and

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

organizations by preserving, protecting, and enhancing areas by creating new multiuse paths and alternative transportation routes; meet the physical and recreational needs of Opelika residents; contribute to the preservation of natural lands, neighborhood and city revitalization projects, and various programs designed to improve and promote community health; encourage outdoor activities, exercise, and environmental learning; and secure public greenspace and creek access for the community.

RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES

It is the desire and the wish of the aforementioned Parties to this MOU Agreement that this document should not, and thus shall not, establish nor create any form or manner of a formal agreement or indenture but rather an agreement between the Parties to work together in such a manner that would promote a genuine atmosphere of collaboration and alliance in the support of an effective and efficient partnership and leadership meant to maintain, safeguard, and sustain sound and optimal managerial, financial, and administrative commitment with regards to all matters related to the partnership through means of the following individual services.

SERVICES COOPERATION

Creekline Trails of Opelika shall render and provide the following services that include, but are not limited to:

- Manage, plan, and organize all grant applications, operational budget, fundraising opportunities, and construction and maintenance of the trail system.

City of Opelika, Alabama shall render and provide the following services that include, but are not limited to:

- Support, identify a designated City contact, provide letters of support for Creekline Trails grant applications, appropriate an additional sum of $30,000 to the Foundation, which amount shall be used solely to advance the goals and objectives of Creekline Trails.

RESPONSIBILITIES OF THE FOUNDATION

The Foundation is responsible for the overall management and supervision of Creekline Trails including the management of funds and accounts.

TIMELINE

The above outlined scope and objective shall be contingent on the Parties obtaining the necessary funds required for the partnership as described within any grant or business

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

loan application, if any. Responsibilities under this Memorandum of Understanding may coincide with the grant period.

TERMS OF UNDERSTANDING

The term of this Memorandum of Understanding shall be for a period of one year from the aforementioned effective date and may be extended upon written mutual agreement of both Parties.

AMENDMENT OR CANCELLATION OF THIS MEMORANDUM

This Memorandum of Understanding may be amended or modified at any time in writing by mutual consent of both Parties.

In addition, the Memorandum of Understanding may be cancelled by either party with 30 days' advance written notice, with the exception where cause for cancellation may include, but is not limited to, a material and significant breach of any of the provisions contained herein, when it may be cancelled upon delivery of written notice to the other party.

GENERAL PROVISIONS

The Parties acknowledge and understand that they must be able to fulfill their responsibilities under this Memorandum of Understanding in accordance with the provisions of the law and regulations that govern their activities. Nothing in the Memorandum is intended to negate or otherwise render ineffective any such provisions or operating procedures. The parties assume full responsibility for their performance under the terms of this Memorandum.

If at any time either party is unable to perform their duties or responsibilities under this Memorandum of Understanding consistent with such party's statutory and regulatory mandates, the affected party shall immediately provide written notice to the other party to establish a date for resolution of the matter.

LIMITATION OF LIABILITY

No rights or limitation of rights shall arise or be assumed between the Parties as a result of the terms of this Memorandum of Understanding.

NOTICE

Any notice or communication required or permitted under this Memorandum of Understanding shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such address as one may have furnished to the other in writing.

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

GOVERNING LAW

This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the State of Alabama.

SEVERABILITY CLAUSE

In the event that any provision of this Memorandum of Understanding shall be deemed to be severable or invalid, and if any term, condition, phrase, or portion of this Memorandum shall be determined to be unlawful or otherwise unenforceable, the remainder of the Memorandum shall remain in full force and effect, so long as the clause severed does not affect the intent of the Parties. If a court should find that any provision of this Memorandum to be invalid or unenforceable, but that by limiting said provision it would become valid and enforceable, then said provision shall be deemed to be written, construed, and enforced as so limited.

ASSIGNMENT

Neither party to this Memorandum of Understanding may assign or transfer the responsibilities or agreement made herein without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

ENTIRE UNDERSTANDING

The herein contained Memorandum of Understanding constitutes the entire understanding of the Parties pertaining to all matters contemplated hereunder at this time. The Parties signing this MOU desire or intend that any implementing contract, license, or other agreement entered into between the Parties subsequent hereto shall supersede and preempt any conflicting provision of this Memorandum of Understanding whether written or oral.

MOU SUMMARY

FURTHERMORE, the Parties to this MOU have mutually acknowledged and agreed to the following:

- The Parties to this MOU shall work together in a cooperative and coordinated effort and in such a manner and fashion to bring about the achievement and fulfillment of the goals and objectives of this partnership.

- It is not the intent of this MOU to restrict the Parties to this Agreement from their involvement or participation with any other public or private individuals, agencies, or organizations.

- The Parties to this MOU shall mutually contribute and take part in any and all phases of the planning and development of this partnership, to the fullest extent possible.

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

- It is not the intent or purpose of this MOU to create any rights, benefits, and/or trust responsibilities by or between the Parties.

- The MOU shall in no way hold or obligate either party to supply or transfer funds to maintain and/or sustain the partnership.

- Should there be any need or cause for the reimbursement or the contribution of any funds to or in support of the partnership, it shall then be controlled in accordance with Alabama governing laws, regulations, and/or procedures.

- In the event that contributed funds should become necessary, any such endeavor shall be outlined in a separate and mutually agreed upon written agreement by the Parties or representatives of the Parties in accordance with current governing laws and regulations, and in no way does this MOU provide such right or authority.

- The Parties to this MOU have the right to individually or jointly terminate their participation in this Agreement provided that advance written notice is delivered to the other party.

- Upon the signing of this MOU by both Parties, this Agreement shall be in full force and effect.

AUTHORIZATION AND EXECUTION

The signing of this Memorandum of Understanding does not constitute a formal undertaking and, as such, it simply intends that the signatories shall strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

This Agreement shall be signed by the Foundation and City of Opelika, Alabama and shall be effective as of the date first written above.

Envision Opelika Foundation, Inc.

By:_____ _____
Its: President Date

City of Opelika, Alabama

By:_____ _____
Its: Mayor Date

Attachment: CTO_City of Opelika_MOU (143-20 : Approve Memorandum of Understanding between the City of Opelika and Envision

RESOLUTION NO. 144-20

Declare Election of Officer without Opposition.

RESOLUTION NO. _____

RESOLUTION DECLARING ELECTION OF OFFICER WITHOUT OPPOSITION

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government; and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy, or has been nominated for an office to be held pursuant to Sections 11-46-20 through 11-46-73 of the *Code of Alabama* of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be declared elected to such office, and the Mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but shall immediately file a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, Section 11-46-26, as amended, provides that the governing body of the

municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Opelika has filed a written statement with the governing body of the municipality, attested by the City Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council Member Place Number 4 prior to the deadline and that the name of that person who filed such statement was C.E. (Eddie) Smith, Jr.; and

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

1. That C.E. (Eddie) Smith, Jr., be and he is hereby declared duly elected to the office of Council Member Place Number 4 of the City of Opelika, Alabama, for the term of office commencing on the first Monday of November, 2020; and

2. That the Mayor of the City of Opelika be and he is hereby directed to issue a certificate of election to C.E. (Eddie) Smith, Jr., for the office of Council Member Place Number 4 for such term pursuant to the provisions of Section 11-46-25 of the Alabama Code, as amended.

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

_____

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

ATTEST:

_____

CITY CLERK

RESOLUTION NO. 145-20

Appoint Nick Abbett as Assistant Municipal Prosecutor.

RESOLUTION NO. _____

RESOLUTION APPOINTING NICK VANCE ABBETT TO SERVE AS AN ASSISTANT MUNICIPAL PROSECUTOR

WHEREAS, municipalities have an obligation to furnish prosecutorial services in municipal courts and in appeals from such judgments and orders; and

WHEREAS, §12-14-2, *Code of Alabama,* 1975, allows a municipal governing body to appoint municipal prosecutors; and

WHEREAS, on July 16, 2020 Benjamin H. Parr resigned his position as Assistant Municipal Prosecutor, and the City Council wishes to fill the vacancy created by said resignation; and

WHEREAS, the City Council desires to appoint Nick Vance Abbett, a licensed attorney and former Lee County District Attorney, as an assistant municipal prosecutor.

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

1. That Nick Vance Abbett is hereby appointed to serve as an assistant prosecutor in the Municipal Court of the City of Opelika for a two-year term beginning July 22, 2020 and ending July 21, 2022.

2. That compensation for the position of assistant municipal prosecutor shall be

fixed as provided by Resolution No. 011-18 adopted on January 16, 2018.

3. This Resolution shall become effective after its passage and approval.

ADOPTED AND APPROVED this the _____ day of _____ 2020.

_____

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

ATTEST:

_____

CITY CLERK

ORDINANCE NO. 016-20-ORD

Amend Zoning & Ord Map: Rezoning, 25.7 Acres, Corner of Waverly Pkwy and Veterans Pkwy - 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 "Council") of the City of Opelika, Alabama (the "City") as follows:

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

(a) DiBenedetto Enterprises, LLC, an Alabama limited liability company, (the "Company") is the owner of record of that certain real property consisting of approximately 25.76 acres located at the intersection of Waverly Parkway and Veterans Parkway.

(b) The Company heretofore submitted to the City a development plan for a planned unit development ("PUD") consisting of approximately 25.76 acres.

(c) The proposed development is a mixed-use development consisting of seventy-two (72) townhome units and twenty (20) single-family lots with significant recreational areas, water features and open space. The proposed density is 3.57 dwelling units per acre.

(D) The Planning Commission heretofore conducted a public hearing on the proposed development and referred to the City Council its recommendation to approve the proposed development.

(E) It is advisable and in the interest of the City and the public interest that the property described in Section 3 below should be developed as a mixed use planned unit development.

Section 2. APPROVAL OF THE DEVELOPMENT PLAN. The Development Plan as submitted for review is hereby approved and affirmed as required by Section 8.18N of the Zoning Ordinance of the City.

Section 3. DESIGNATION OF A PLANNED UNIT DEVELOPMENT. The official Zoning Map is hereby amended and the zoning classification for the following parcel of land shall be changed from a R-1 District (Low Density Residential District), R-3 District (Medium Density Residential District) and C-2 District (Office/Retail District) to a Planned Unit Development (PUD) on the official zoning map of the City.

Commence at the SW corner of the Northwest Quarter OF Section 11, Township 19 North, Range 26 East, Opelika, Lee County, Alabama, locally accepted being marked by a 1/2" rebar with cap stamped #28447; thence N 31 ^{0} 50'18" E a distance of 280.17 feet to a 1" open top pipe on the North right-of-way line of Waverly Parkway (80' R/W) and also being the POINT OF BEGINNING.

From said POINT OF BEGINNING; thence along said right-of-way N 64 ^{0}00’44" W a distance of 253.34 feet to a 1/2" open top pipe; thence N 64 ^{0} 00’11” W a distance of 520.96 feet to a 1/2" rebar with cap stamped PLS CA#1067-LS; thence N 50^{0} 34’02" W a distance of 178.22 feet to a 1/2" rebar with cap stamped PLS CA#1067-LS; thence in a curve to the right having a radius of 542.96 feet an arc length of 362.10 and a chord bearing and distance of N 23^{0} 38’45" W, 355.43 feet to a 1/2" rebar with cap stamped PLS CA#1067-LS on the East right-of-way line of Veterans Pkwy (150' R/W); thence along said right-of-way in a curve to the left having a radius of 1220.92 feet an arc length of 182.29 feet and a chord bearing and distance of N 04 ^{0} 42’34" E, 182.12 feet to a 1/2" rebar with cap stamped PLS CA#1067-LS; thence leaving said right-of-way N 88°53’38" E a distance of 135.16 feet to a 3/4" crimp top; thence N 00 ^{0} 21’22” E a distance of 93.10 feet to a 1/2" rebar with cap stamped PLS CA#1067-LS; thence N 88°26’42” W a distance of 24.74 feet to a 1/2" open top pipe; thence N 00 ^{0} 24'13" E a distance of 133.99 feet to a 1/2" rebar; thence S 89 ^{0} 58’58" E a distance of 29.91 feet to a 1/2" open top pipe at the southwest corner of Lot 13 OF QUAIL HOLLOW SUBDIVISION as recorded in Plat Book 16, Page 127, Lee County, Alabama; thence along the south line of QUAIL HOLLOW SUBDIVISION S 89 ^{0} 13’14" E a distance of 99.61 feet to a 1/2" open top pipe; thence N 89 ^{0} 58'40" E a distance of 99.99 feet to a 1/2" open top pipe; thence N 89 ^{0}41’40” E a distance of 100.18 feet to a 1/2" open top pipe; thence N 88 ^{0} 50’15" E a distance of 94.45 feet to a 1/2" open top pipe; thence S 89 ^{0} 12’23" E a distance of 105.64 feet to a 1/2" open top pipe; thence N 89 ^{0} 56 ‘05" E a distance of 100.03 feet to a 1/2" open top pipe; thence N 89 ^{0}43’49" E a distance of 59.91 feet to a 1/2" open top pipe; thence N 89 ^{0}47'23" E a distance of 688.47 feet to a 1/2" open top pipe; thence S 41°

52'01"W a distance of 111.59 feet to a 1/2" crimp top, thence S 31 ^{0}46'29" W a distance of 141.63 feet to a 1/2" crimp top; thence S 29 ^{0} 08'34" a distance of 162.26 feet to a 1x1 metal bar; thence S 30 ^{0} 04'18" W a distance of 286.01 feet to a 1/2" rebar with cap stamped #33949; thence S 32 ^{0} 34 ' 41" W a distance of 87.80 feet to a 3/4" open top pipe; thence S 25 ^{0}40'42" W a distance of 250.99 feet to a 1/2" rebar with cap stamped #33949; thence S 14 ^{0} 14'50" W a distance of 72.80 feet to a 1/2" rebar with cap stamped 33949; thence S 63 ^{0}45'40" E a distance of 148.62 feet to a 1/2" open top pipe; thence S 35 ^{0} 35'52" W a distance of 200.62 feet to the point of beginning. said parcel lying in and being a part of the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter all in Section 10, Township 19 North, Range 26 East and the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter all in Section 11, Township 19 North, Range 26 East, Lee County, Alabama, and containing 25.76 acres, more or less.

Section 4. RETENTION OF COPIES OF DEVELOPMENT PLAN. Copies of the 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 5. REPEALER. Any ordinance or part thereof in conflict with provisions of this Ordinance be and the same are hereby repealed.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption, approval and publication as required by law.

Section 7. PUBLICATION. This Ordinance shall be published one (1) time 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 at least two (2) working days prior to the meeting if you require special accommodations due to any disability.

ADOPTED AND APPROVED this the _____day of _____, 2020.

_____

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

ATTEST:

_____

CITY CLERK

TRANSMITTED TO MAYOR on this the _____day of _____, 2020.

_____

CITY CLERK

ACTION BY MAYOR

APPROVED this the _____day of _____, 2020.

_____

MAYOR

ATTEST:

_____

CITY CLERK

ORDINANCE NO. 017-20-ORD

Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.

Planning has an annexation petition from Rickey & Cynthia Wilson, property owners. The annexation property consists of one lot (25,700 square feet) at 4002 Marvyn Parkway. A single family home is on lot. The purpose of the annexation is so their child can attend Opelika City Schools. A Planning Commission report and map are attached. There was no opposition to the annexation at the June 23rd Planning Commission meeting. Planning is requesting that the ordinance for annexation be placed on the regular meeting agenda for 1st reading.

ORDINANCE NO._____

ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF OPELIKA

(Rickey L. & Cynthia L. Wilson's Property located at 4002 Marvyn Parkway)

WHEREAS, on the 13th day of March 2020, Rickey L. Wilson and Cynthia L. Wilson, husband and wife, (hereinafter referred to as the "Petitioners") being the owners of the property hereinafter described, did file a Petition for Annexation (the "Petition") with the City of Opelika, Alabama, a municipal corporation, a copy of which is attached hereto as Exhibit "A", requesting the annexation of certain property owned by the Petitioners as more particularly described below; and

WHEREAS, said Petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Opelika; and

WHEREAS, the territory to be annexed is contiguous to the existing corporate limits of the City of Opelika and does not embrace any territory within the corporate limits of another municipality, and when annexed into the City of Opelika will form a homogenous part of the City; and

WHEREAS, the City Council of the City of Opelika did determine that it is in the public interest that said property be annexed into the City of Opelika and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, *Code of Alabama* (1975).

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

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

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

Commence at the NW corner of the NE ¼ Section 31, Township 19 North, Range 27 East in Lee County, Alabama; thence run South for a distance of 175.0 feet to a point; thence run East for for a distance of 2471.9 feet to the Southwest corner and to the point of beginning of the parcel of land herein to be described: From said point of beginning then North for a distance of 150.0 feet to a point; thence run East for a distance of 177.5 feet to a point which point is located on the Westerly margin of the right-of-way of Highway No. 37: thence run South 1 degree 27' West along the Westerly margin of the right-of-way of said highway for a distance of 150.1 feet; then run West for a distance 173.7 feet to the point of beginning; together with all improvements thereon and all appurtenances thereunto appertaining.

ALSO: Lot 22, Timber Hills Subdivision, Parcel C, according to and as shown by map or plat of said subdivision of record in Town Plat Book 8, at Page 53, in the Office of the Judge of Probate of Lee County, Alabama; together with all improvements thereon and all appurtenances thereunto appertaining.

The above described property is located at 4002 Marvyn Parkway, Opelika, Alabama 36801.

Section 3. A map or plat of a survey describing the territory annexed and showing its relation to the corporate limits of the City of Opelika shall be attached to this ordinance, marked Exhibit “B” and made a part hereof.

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

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

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

ADOPTED AND APPROVED this the _____day of _____, 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

EXHIBIT "A"

#1900

AGENDA ITEM # 12

CITY OF OPELIKA

PETITION FOR ANNEXATION

PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801
P:(334) 705-5156 F(334) 705-5159
PC DEADLINE: 6/2/2020 PC MEETING: 6/23/2020

ALABAMA'S 1ST GIG CITY OPELIKA

SITE ADDRESS: Rickey L & Cynthia L Wilson

PROPERY OWNER:

APPLICANT: Rickey L & Cynthia L Wilson

MAILING ADDRESS: 4002 Marvyn Pkwy Opelika AL 36804

PHONE NUMBER: 334-745-7554 **FAX NUMBER:** 334-745-7554

EMAIL ADDRESS: cynthiawilson60@icloud.com

PARCEL INFORMATION

Tax Parcel Number: 10 09 31 0 000 001.000
Street Address: 4002 Marvyn Parkway
Current Land Use: single-family home Proposed Zoning: R-1
Adjacent Zoning Districts (if applicable): North: C-2 South: PJ East: P-5 West: R-3
Description of proposed use: R-1
Ownership Configuration: ☐ single parcel/single ownership ☐ multiple parcels/single ownership
☑ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

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

Proposed Zoning: R-1

Fee: $250.00 per dwelling or $250.00 per business

TOTAL = $250.00

PAID

OWNERS SIGNATURE: Rickey L. Wilson & Cynthia L. Wilson	DATE: 03-13-2020
(PRINT NAME) Rickey L. Wilson & Cynthia L. Wilson	

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

AGENDA ITEM # 12

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

STATE OF ALABAMA

LEE COUNTY

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

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

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

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

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

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

RESPECTFULLY SUBMITTED this the 13 day of March, 2020.

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

AGENDA ITEM # 12

NOTARY SIGNATURES

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

_____ Notary Public

_____
(print name)

_____
(address)

_____
(city, state, zip)

BY: _____
(signature)

ITS: _____
(title)

DATE: _____

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Rickey L. Wilson, **whose name is signed to the foregoing petition, and who is known to me, acknowledged before me on this day, that being informed of the contents of said petition, he/she executed the same voluntarily on this date. Given under my hand and official seal of office this** 3rd **day of** June, 2020

Sybil W. Smith **Notary Public**

Rickey L Wilson
(Signature)

Rickey Wilson
(print name)

4002 Marvyn parkway
Opelika, AL 36804
(mailing address)

DATE: June 3, 2020

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

_____ **Notary Public**

_____
(Signature)

_____
(print name)

_____
(mailing address)

DATE: _____

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

_____ **Notary Public**

_____
(Signature)

_____
(print name)

_____
(mailing address)

DATE: _____

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

AGENDA ITEM # 12

NOTARY SIGNATURES

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

_____ Notary Public

_____
(print name)

_____
(address)

_____
(city, state, zip)

BY: _____
(signature)

ITS: _____
(title)

DATE: _____

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Cynthia L. Wilson, **whose name is signed to the foregoing petition, and who is known to me, acknowledged before me on this day, that being informed of the contents of said petition, he/she executed the same voluntarily on this date. Given under my hand and official seal of office this** 3rd **day of** June, 2020

Rachel C. Dennis
Notary Public

STATE OF ALABAMA NOTARY PUBLIC RACHEL C. DENNIS COMMISSION EXPIRES: SEPTEMBER 5, 2021

Cynthia L Wilson
(Signature)

Cynthia L Wilson
(print name)

4002 Marvyn Pkwy
Oxford AL 36804
(mailing address)

DATE: 3-2020

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

_____ **Notary Public**

_____
(Signature)

_____
(print name)

_____
(mailing address)

DATE: _____

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

_____ **Notary Public**

_____
(Signature)

_____
(print name)

_____
(mailing address)

DATE: _____

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

DEED 2198 495
Recorded In Above Book and Page
08/24/2000 12:45PM
HAL SMITH
JUDGE OF PROBATE
LEE COUNTY

SPJ Fee	4.00
Recording Fee	8.00
TOTAL	12.00

*** NO TAX FEE COLLECTED ***

CORPORATION WARRANTY DEED
(With Right of Survivorship)

STATE OF ALABAMA)
LEE COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of TEN ($10.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Mortgage Guaranty Insurance Corporation,** (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, I, the said **Mortgage Guaranty Insurance Corporation,** does hereby grant, bargain, sell and convey unto **Rickey L. Wilson and Cynthia L. Wilson,**(hereinafter referred to as GRANTEES), as joint tenants with the express right of survivorship in the survivor, in fee simple, upon the death of the other, the following described Real Estate, to wit:

Commence at the NW corner of the NE 1/4 Section 31, Township 19 North, Range 27 East in Lee County, Alabama; thence run South for a distance of 175.0 feet to a point; thence run East for a distance of 2471.9 feet to the Southwest corner and to the point of beginning of the parcel of land herein to be described: From said point of beginning thence run North for a distance of 150.0 feet to a point; thence run East for a distance of 177.5 feet to a point which point is located on the Westerly margin of the right-of-way of Highway No. 37: thence run South 1 degree 27' West along the Westerly margin of the right-of-way of said highway for a distance of 150.1 feet; thence run West for a distance of 173.7 feet to the point of beginning; together with all improvements thereon and all appurtenances thereunto appertaining.

ALSO: Lot 22, Timber Hills Subdivision, Parcel C, according to and as shown by map or plat of said subdivision of record in Town Plat Book 8, at Page 53, in the Office of the Judge of Probate of Lee County, Alabama; together with all improvements thereon and all appurtenances thereunto appertaining.

This conveyance and the warranties hereinafter contained are made subject to any and all restrictions, easements, covenants, and rights-of-way of record in said county affecting said described property.

TO HAVE AND TO HOLD, to **Riceky L. Wilson and Cynthia L. Wilson,** as joint tenants with the express right of survivorship in the survivor, in fee simple, upon the death of the other. This conveyance is made under express authority of Code of Alabama, 1975, Section 35-4-7, as amended.

And I do for myself and my heirs, executors and administrators, covenant with the said **Rickey L. Wilson and Cynthia L. Wilson,** their heirs and assigns, that I am lawfully seized in fee simple of the said premises; that they are free from all encumbrances; that I have good right to sell and convey the same as aforesaid and; that I will, and that my heirs, executors, and administrators shall, warrant and defend the same to the said **Rickey L. Wilson and Cynthia L. Wilson,** their heirs and assigns forever, against the lawful claims of all

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

IN WITNESS WHEREOF, the said **Mortgage Guaranty Insurance Corporation**, by _____ Kurt J. Armbrust its Asst. Vice President, who is authorized to execute this conveyance, hereunto set its signature and seal, on this the 15 day of **August, 2000.**

MORTGAGE GUARANTY INSURANCE CORPORATION

By: _____

Its: Kurt J. Armbrust
Asst. Vice President

STATE OF Wisconsin)
:
Milwaukee COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Kurt J. Armbrust its Asst. Vice President of **Mortgage Guaranty Insurance Corporation,** is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that being informed of the contents of this conveyance, he/she, a such officer and with full authority, executed the same voluntarily on the day the same bears date.

In Witness Whereof, I have hereunto set my hand and seal this the 15 th day of **August, 2000.**

_____
NOTARY PUBLIC Lori A. Gramza
My Commission Expires: 6/8/2003

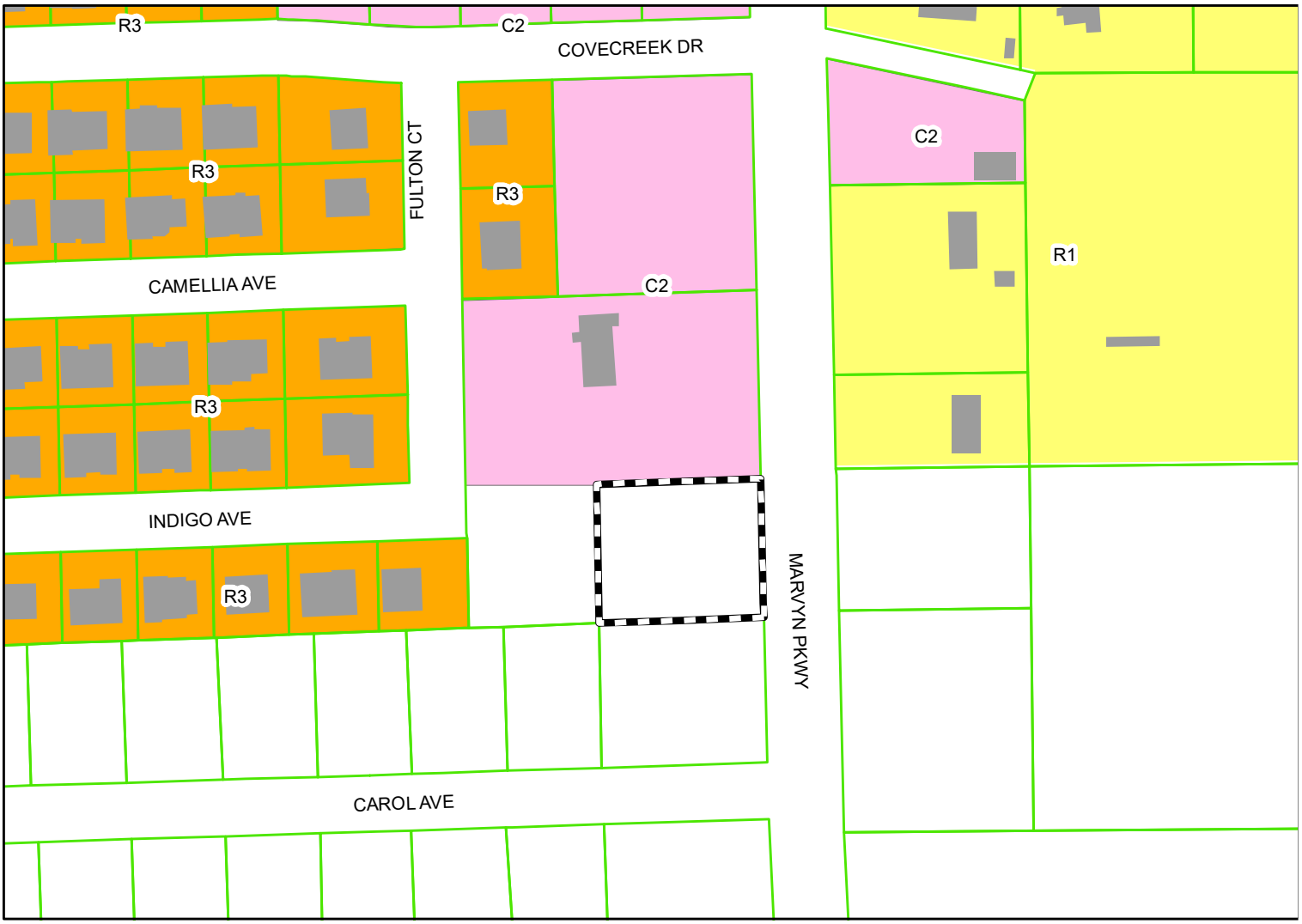
Grantee's Address:
4002 Marvin Parkway
Opelika, Alabama 36804

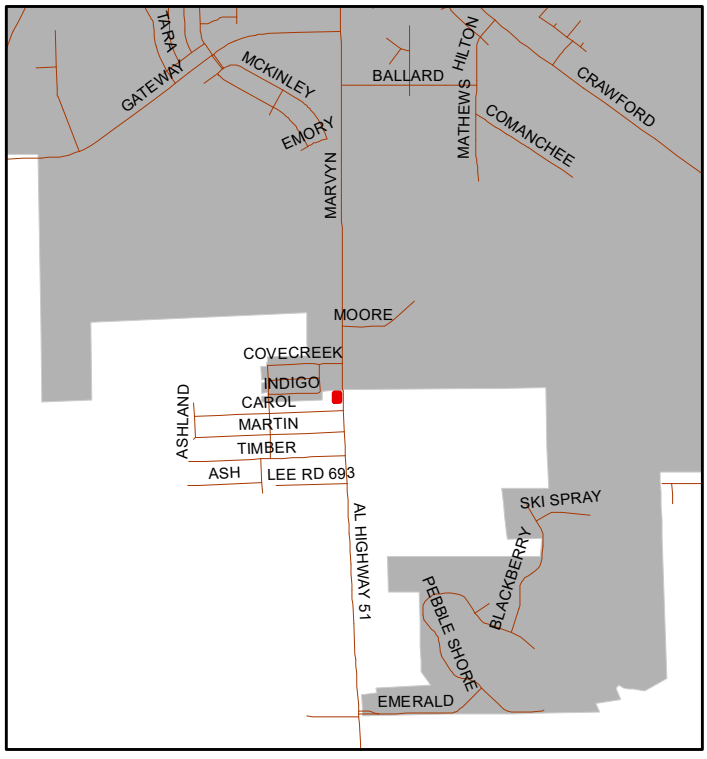
THIS INSTRUMENT PREPARED BY
DAVIS, DAVIDSON & McLAUGHLIN
ATTORNEYS AT LAW
324 EAST MAGNOLIA AVENUE
AUBURN, ALABAMA 36830
00-780N

DEED 2198 496
Recorded In Above Book and Page
08/24/2000 12:45PM
HAL SMITH
JUDGE OF PROBATE
LEE COUNTY

Attachment: WILSON ANNEXATION EXHIBIT A (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

EXHIBIT B
RICKEY & CYNTHIA WILSON ANNEXATION
4002 MARVYN PARKWAY





The applicant is requesting annexation of a 25,700 sf lot. R-1 zoning district is requested.

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

Attachment: WILSON ANNEXATION EXHIBIT B (017-20-ORD : Request for Annexation, 4002 Marvyn Parkway, 25,700 sf lot - 2nd Reading.)

City of Opelika
Planning Commission
Planning Department Report

Meeting Date: June 23, 2020

Agenda Item: F-12

Action Requested: Annexation and Zoning

Location of Property: 4002 Marvyn Parkway

Property Owner: Rickey & Cynthia Wilson

Current Zoning: PJ (Planning Jurisdiction)

Proposed Zoning: R-1

Existing Land Use: Undeveloped

Adjacent Zoning/Land Use:
North: C-2, (City limits)
South: Planning Jurisdiction (PJ)
East: Planning Jurisdiction (PJ)
West: Planning Jurisdiction (PJ)

Staff Comments:

The applicant is requesting annexation for one 27,300 square foot lot. The property is near the Cove Creek subdivision and adjacent to the southern City limit line. A single-family home is on the lot. The primary reason for annexation is so the property owner's child can attend Opelika City schools.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. A R-1 zone is requested.

Staff recommends the Planning Commission send a positive recommendation to City Council to annex the 27,300 square foot lot and zone the property R-1.

Attachment: Annex Rickey & Cynthia Wilson, 4002 Marvyn Parkway, 27,300 staff report (017-20-ORD : Request for Annexation, 4002 Marvyn

Engineering Department Report

The Engineering Department has no comments or concerns with this application and recommends a positive recommendation of annexation to City Council.

Opelika Utilities Board Report

Opelika Utilities presently serves this parcel.

Opelika Power Services Report

This location is outside the Opelika Power Services territory.

At their June 23rd regular meeting, the Planning Commission voted to send a positive recommendation to the City Council to annex a 27,300 square foot lot. The lot would come into the City with a default zoning of R-1.

This request is to place the ordinance for annexation on the regular work session agenda for a 1st reading.

Attachment: Annex Rickey & Cynthia Wilson, 4002 Marvyn Parkway, 27,300 staff report (017-20-ORD : Request for Annexation, 4002 Marvyn