

Ordinance No. 2013-4

AN ORDINANCE repealing Ordinance 2013-1 which reallocated and decreased the 14 Mills school ad valorem tax.

SECTION 1. The City of Midfield on March 5, 2013, adopted ordinance No.2013-1 which reallocated and decreased the 14 mills school ad valorem tax payable to the Midfield Board of Education.

SECTION 2. The Midfield Board of Education filed suit against the City of Midfield seeking damages in the amount over Five Hundred Twenty-Two Thousand and no/100 (\$522,000.00) on December 28, 2012, and also sought an injunction requiring the city to remit the 14 mills school ad valorem tax immediately upon receipt of the school tax by the City to the Midfield Board of Education.

SECTION 3. The parties to the litigation entered an agreement on the 9th day of September, 2013, wherein the claim for money damages against the City by Midfield Board of Education was dismissed because the City agreed to continue to pay over to the Midfield Board of Education the 14 mills school ad valorem tax without any reductions during the term of the current Mayor and City Council Members.

SECTION 4. The Circuit Court Judge entered a consent judgment on October 7, 2013, which incorporated the parties' agreement, and dismissed the lawsuit against the City of Midfield, the Mayor, and the City Clark with prejudice.

Section 5. Repeal. The City of Midfield, based on the agreement of the parties and the consent judgment of the circuit judge aforementioned, does hereby repeal Ordinance 2013-1.

SECTION 5. This ordinance shall become effective immediately upon its adoption and publication as required by law.

Approved this 14th day of October, 2013.

Attest:

T. Ephriam Vann, City Clerk

Gary Richardson, Mayor

Clerks Certification

I, Tameeka E. Vann, City Clerk of the City of Midfield, Alabama, for the sole purpose of administering and implementing the above and foregoing Ordinance, is true and correct copy of the Ordinance, adopted and approved by the City Council of the City of Midfield, Alabama at its council meeting held on the 14th day October 2013, as same is represented in the Recorded Minutes.

Moreover, I hereby certify that the above and foregoing Ordinance was published by posting same at the following locations: Midfield City Hall, Midfield Community Center and the city's website.

Certified and acknowledge on this _____ day of _____ 2013

Tameeka E. Vann, City Clerk