



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

October 4, 2022

TIME: 6:00 PM

1. CALL TO ORDER

President Smith called the council meeting to order at 06:01 pm and asked Mr. Jones to call the roll.

2. ROLL CALL

The Mayor and all City Council members were present.

1. George Allen, Erica Norris, Tim Aja, Todd Rauch, Eddie Smith

3. INVOCATION

Mr. Dunbar provided the invocation.

1. Paul Dunbar from First Baptist Church Opelika.

4. PLEDGE OF ALLEGIANCE

William Coxwell led the Pledge of Allegiance.

1. William Coxwell and Trenity Waller from Morris Avenue Intermediate School.

5. READING OF MINUTES

1. Minutes from the 09-20-22 council meeting.

President Smith stated that a copy of the minutes had been previously received by the council and asked for a motion to approve the minutes. Mr. Rauch made a motion to approve. Mr. Aja seconded the motion. President Smith then asked if there were any additions, deletions, or corrections to the minutes. President Smith stated having no corrections, the minutes stand approved.

6. UNFINISHED BUSINESS

7. REMARKS BY THE MAYOR

1. Recognize JaQuan Sanks.

Mayor Fuller invited Mr. Sanks to come up front. Mayor Fuller then read a description of why Mr. Sanks was being recognized as a community hero and presented him with a small token of appreciation. Mr. Sanks then also gave Mayor Fuller a t-shirt.

2. Proclamation for October 2022 as Pro Bono Month.

Mayor Fuller then invited Lee County District Attorney Jessica Ventiere up front. Mayor Fuller then read the proclamation and presented it to her. Ms. Ventiere then explained about the ways to receive pro bono work locally.

3. Recognize Firefighters, Police Officers, and Dispatcher of the Year for 2022.

Mayor Fuller then invited Opelika Fire Chief Shane Boyd up front. Mayor Fuller recognized each runner-up, Michael Clifton and Phillip Bell, for Firefighter of the Year with Chief Boyd. Mayor Fuller then recognized the Firefighter of the Year, Battalion Chief Dennis Hanson, with Chief Boyd. Mayor Fuller then asked Opelika Police Chief Shane Healey to come up front. Mayor Fuller recognized the Opelika Chamber's Police Officer of the Year, Grant Gow, who was absent, with Chief Healey. Mayor Fuller then recognized the Opelika Chamber's Dispatcher of the Year, Kole Pagan, with Chief Healey.

Mayor Fuller then invited Sherry Cook and others from the Opelika Citizens Police Academy Alumni Association to join him and Chief Healey up front for a presentation. Ms. Cook then presented a check in the amount of \$15,000 to Carol Bandy Carson for a commissioned piece of artwork that she would be doing inside the Opelika Police Department.

4. Employee Service Awards.

Mayor Fuller then invited each department head and their respective employees, that were present, up front and recognized each with their employee service award based on the number of years served.

After the employee service awards, Mayor Fuller and Chief Healey then recognized the Opelika Citizens Police Academy Alumni Association's Police Officers of the Year, Officer Brandon Phillips, Officer Montrez Hunter, Officer Wade Foster, and Officer Kevin Quintana.

8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)

Evelyn Mickle of 1003 Glenn Street spoke first. Ms. Mickle stated that she would like for a pedestrian crosswalk to be put across Columbus Parkway at Glenn Street due to many pedestrians walking over to the farmer's market and stated it is very dangerous to cross there. Ms. Mickle then stated she had personally tried to cross the street there and was almost hit by a car. Ms. Mickle also stated that the daycare across the street also told her they would like a crosswalk there to take some of the children over to the library.

Ernest Rains, owner of Rock 'N Roll Pinball in downtown Opelika, spoke next. Mr. Rains stated that he would like to talk about two things that didn't happen, the first being the rest of the business in the 800 block of South Railroad Avenue did not burn down after the Maffia's building did. Mr. Rains then stated the second thing that didn't happen was a breakfast or luncheon to recognize our firefighters and first responders, because our fire chief and his staff were too humble and told him they were just doing their job. Mr. Rains also stated that he was so delighted to see some of them recognized at the meeting. Mr. Rains

closed by stating that he was still determined to recognize their efforts to contain that fire and that maybe closer to Christmas, we as a community can make sure they and their families have a great Christmas party or something.

Sherry Cook of 409 Wittel Avenue spoke next. Ms. Cook stated that she wanted to share her concerns about herself and her neighbors due to the numerous shootings that had taken place in their subdivision. Ms. Cook then stated they had recently experienced a drive-by shooting across the street from her house and she spoke with the neighboring family to make sure they were OK because bullets were flying everywhere. Ms. Cook then requested that the Mayor and Council consider putting in more lighting and possibly having security cameras in the Hall Subdivision for safety purposes because she has lived there for 30 years and never felt unsafe there until all these recent shootings.

Lynda Jackson of 100 Woodrow Place spoke next. Ms. Jackson presented pictures of areas around where she lives to the Mayor and Council and then stated she was concerned about her safety due to overgrown trees and bushes on empty lots around her residence. Ms. Jackson also stated that if bad weather were to come through, she could also be trapped because of all the overgrown trees that could possibly fall around her residence. Ms. Jackson closed by stating she is not sure what the rules are for maintaining these empty lots, but there are empty lots on Jeter Avenue that are pristine and the ones on Woodrow where she lives are terrible, she feels unsafe because of that, and asked if the council would do something about it.

Dr. Nathaniel Dunlap, Jr. of 2917 Stillwood Way spoke last. Dr. Dunlap stated that as the executive director of the PRF Institute he wanted to thank the Council for voting to help them start their Opelika Financial Help Initiative last year. Dr. Dunlap then stated that they have been very successful over the past year helping people in the community with their finances, and went over all of the data with the Council, including how many consultations they gave for free and them having to add more staff due to demand for their services. Dr. Dunlap also stated that they had 54 people talk to them 5 or more times, which let them know that the issues people were facing from a financial perspective you can't just deal with in one or two meetings. Dr. Dunlap then stated that in addition to all the letters mailed out by the city about the program, they have had many referrals from people that have had success with the program. Dr. Dunlap also stated they have had classes on estate planning, they saw people start saving money that had never saved before, numerous debt reductions, enrollments in college with no loans needed, people avoiding foreclosures, and people able to receive no interest loans. Dr. Dunlap closed by stating that the 36801 and 36804 zip codes had the highest percentages of people to use the program and then thanked the Mayor and Council for their support. Mr. Aja then asked if he could say something. President Smith said yes. Mr. Aja then thanked Dr. Dunlap for what they do and he believes in the current market they will have even more people who need their help. Ms. Norris then also added that it had been a little over a year since she was introduced to him and spoke with him about these initiatives, as well as affordable housing, and thanked him for the work that they are doing in the community as well.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - Butcher Paper BBQ LLC dba Butcher Paper BBQ, Restaurant Retail Liquor and Retail Beer On Premise License.

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Request Alcohol License - Rock N Roll Pinball LLC dba The Jailhouse, Lounge Retail Liquor Class 1 & Retail Beer On Premise.

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Request Alcohol License - The New Turning Point LLC dba Zen Steak And Sushi, Restaurant Retail Liquor & Retail Beer On Premise License.

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Public Hearing - Weed Abatement Assessment - 1733 1st 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 - 504 S. 4th Street.

Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed

abatement. No one came forward to speak. President Smith closed the public hearing.

12. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. 15kV Primary Underground Distribution Cable - OPS.

RESOLUTION NO. 259-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Single-Phase Pad Mounted Transformers - OPS.

RESOLUTION NO. 260-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Single-Phase Pole Mounted Transformers - OPS.

RESOLUTION NO. 261-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from various departments.

RESOLUTION NO. 262-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

2. Purchase - Amend Resolution 257-22 - One (1) HD Rotary Cutter - Sourcewell Contract #070821-LPI - PW.

RESOLUTION NO. 263-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

3. Purchase - One (1) 2023 Dodge Ram 1500 Quad Cab Truck - State of Alabama Contract #T191 - ENG.

RESOLUTION NO. 264-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

4. Purchase - One (1) 2024 Mack MD7 Loader with Hardox Boom Extension - OES.

RESOLUTION NO. 265-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

5. Purchase - Twenty-two (22) 2023 Chevrolet Tahoes - State Contract T191L - PD.

RESOLUTION NO. 266-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 3 Tim Aja
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

6. Purchase - Police Equipment for Twenty-two (22) Police Package Automobiles - State Contract #MA 999 180000000347 - PD.

RESOLUTION NO. 267-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

7. Purchase - Twenty-two (22) Police Car Radios - State of Alabama Contract #T300 - PD.

RESOLUTION NO. 268-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

8. Purchase - Twenty-two (22) In-car Camera Systems - Sole Source - PD.

RESOLUTION NO. 269-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

9. Purchase - Twenty-two (22) Eagle 3 Radar Systems - Sole Source - PD.

RESOLUTION NO. 270-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

10. Approve Amending the Organizational Chart of the Opelika Public Library - HR.

RESOLUTION NO. 271-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

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

RESOLUTION NO. 272-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

12. Approve a Subaward Agreement with ADECA for Pepperell Creekline Trail Improvements.

RESOLUTION NO. 273-22

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 3 Tim Aja
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 -
 President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

13. Approve the Waiver of All Building and Construction Permit Fees for Indian Pines Recreation Authority Related to Golf Course Improvements - ADMIN.

RESOLUTION NO. 274-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

14. Weed Abatement Assessment - 1733 1st Avenue.

RESOLUTION NO. 275-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

15. Weed Abatement Assessment - 504 S. 4th Street.

RESOLUTION NO. 276-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

16. Annual Appropriation Contract FY2023 with Alabama Cooperative Extension System.

RESOLUTION NO. 277-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

17. Annual Appropriation Contract FY2023 with Art Haus.

RESOLUTION NO. 278-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

18. Annual Appropriation Contract FY2023 with Christian Care Ministries.

RESOLUTION NO. 279-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

19. Annual Appropriation Contract FY2023 with Christian Women's Job Corps of Lee County.

RESOLUTION NO. 280-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

20. Annual Appropriation Contract FY2023 with East Alabama Services for the Elderly, Inc. (EASE).

RESOLUTION NO. 281-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

21. Annual Appropriation Contract FY2023 with Envision Opelika Foundation.

RESOLUTION NO. 282-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

22. Annual Appropriation Contract FY2023 with J. W. Darden Foundation.

RESOLUTION NO. 283-22

MOTION TO APPROVE: 4 TO 0

RESULT: Passed

MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: Councilman Ward 1 Willie Allen

23. Annual Appropriation Contract FY2023 with Lee County Humane Society.

RESOLUTION NO. 284-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

24. Annual Appropriation Contract FY2023 with Lee County Rabies Officer.

RESOLUTION NO. 285-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

25. Annual Appropriation Contract FY2023 with Lee County Youth Development Center.

RESOLUTION NO. 286-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

26. Annual Appropriation Contract FY2023 with Opelika First Class Pre-K Academy.

RESOLUTION NO. 287-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

27. Annual Appropriation Contract FY2023 with Opelika Industrial Development Authority.

RESOLUTION NO. 288-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

28. Annual Appropriation Contract FY2023 with Opelika Main Street.

RESOLUTION NO. 289-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

29. Annual Appropriation Contract FY2023 with Valley Haven School.

RESOLUTION NO. 290-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

30. Special Appropriation to East Alabama Community Ballet for 2022 Nutcracker Performance.

RESOLUTION NO. 291-22

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

31. Special Appropriation to People of Action for Community Enrichment (P.A.C.E.) from Ward 2 Discretionary Funds.

RESOLUTION NO. 292-22

MOTION TO APPROVE: 4 TO 0

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: Councilwoman Ward 2 - President Pro-Tem Erica Norris

14. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Authorize the Operation of Medical Cannabis Dispensing Sites - 2nd Reading.

ORDINANCE NO. 028-22

SECOND READING AND APPROVED: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Amend the City Code of Ordinances: Repealing Sections 12-40 through 12-65 which Authorized a Residential Rental Registration and Inspection Program and Authorizing Amounts Collected to be Refunded - 1st Reading.

FIRST READING: INTRODUCED

President Smith asked for a member of the council to introduce the ordinance. Mr. Aja introduced the ordinance.

President Smith then asked if there was a motion to suspend the rules to have a second reading. Mr. Allen made a motion to suspend the rules. Mr. Rauch seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

President Smith then asked if there was a motion to approve the ordinance at second reading. Mr. Rauch made a motion to approve. Mr. Aja seconded the motion. The following vote was recorded:

ORDINANCE NO. 029-22

SECOND READING AND APPROVED: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 3 Tim Aja

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Bond Issue and GO Warrants, Series 2022 - 1st Reading.

FIRST READING: INTRODUCED

President Smith asked for a member of the council to introduce the ordinance. Mr. Rauch introduced the ordinance.

President Smith then asked if there was a motion to suspend the rules to have a second reading. Mr. Allen made a motion to suspend the rules. Mr. Rauch seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: 4 TO 0

RESULT: Failed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None
ABSTAIN: Councilwoman Ward 2 - President Pro-Tem Erica Norris

Mr. Gunter then stated that since there was not unanimous consent, the council would need to either call a special meeting to have a second reading of the current ordinance or the ordinance would have to change due to the amount of interest rising by the next regular council meeting. President Smith stated he wanted to call a special meeting of the council as soon as possible. Ms. Norris went to Mr. Gunter for a legal opinion. Mr. Gunter then stated that Ms. Norris abstained from the vote because her daughter works for the school system, and she believed that would be a conflict of interest. Mr. Gunter stated that her daughter working for the school system would not be a conflict of interest due to her not having any personal gain from the passage of the ordinance.

Mr. Jones stated that Ms. Norris would need to make a motion to reconsider the suspension of the rules. Ms. Norris then made a motion to reconsider the suspension of the rules. Mr. Aja seconded the motion. The following vote was recorded:

**MOTION TO RECONSIDER THE SUSPENSION OF THE RULES:
UNANIMOUS**

RESULT: Passed
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 3 Tim Aja
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

President Smith then asked for a motion to approve at second reading. Mr. Allen made a motion to approve. Mr. Rauch seconded the motion. The following vote was recorded:

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

15. APPOINTMENTS

16. ADJOURN

The City Council meeting minutes of October 4, 2022 are hereby adopted and approved this the 18th day of October, 2022.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones, CMC

City Clerk

1. Character Trait of the Month - Responsibility, the state or fact of having a duty to deal with something or of having control over someone.
President Smith asked if there was any other business to come before the council, read the character trait of the month, and then asked for a motion to adjourn.
2. Motion to Adjourn.

MOTION TO ADJOURN: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

The council meeting ended at 07:15 pm.