



## **CITY COUNCIL MINUTES**

**300 Martin Luther King Blvd.**

**November 1, 2022**

**TIME: 6:00 PM**

**1. CALL TO ORDER**

President Smith called the council meeting to order at 06:04 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**

Dr. Donald provided the invocation.

1. Dr. Nolan Donald from First United Methodist Church.

**4. PLEDGE OF ALLEGIANCE**

Samuel led the Pledge of Allegiance.

1. Samuel George from Morris Avenue Intermediate School.

**5. READING OF MINUTES**

1. Minutes from the 10-18-22 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. Aja made a motion to approve. Mr. Allen 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. City's Financial Summary Report for September 2022.

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.

2. Proclamation for November as Epilepsy Awareness Month.

Mayor Fuller invited Janataka Holmes and her son up front. Mayor Fuller then read the proclamation and presented it to them. Ms. Holmes also invited the community out to an epilepsy awareness event to be held at courthouse square on Sunday November 6.

3. Proclamation for November 1, 2022 as Rick Lane Day.

Mayor Fuller then invited Rick Lane and his family up front. Mayor Fuller then read the proclamation and presented it to them. Mr. Lane then spoke for a moment and thanked everyone.

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

Elizabeth Burton of 1416 Elm Street spoke first. Ms. Burton read a letter (see attached) to the Mayor and council and asked for it to be entered into the minutes.

Dorsey Ketchum of 603 Shamrock Street spoke next. Ms. Ketchum expressed two main concerns about the proposed construction of a cell tower at Floral Park, including the potential radiation emitted by the tower and a decrease to the property values of the homes located near the proposed tower. Ms. Ketchum asked the council to please consider finding a different location for the proposed tower.

Suzanne Tippet of 1103 Willow Run spoke next. Ms. Tippet also expressed concerns about the proposed construction of a cell tower at Floral Park, including the health and safety of those in close proximity to the tower, and then asked the council to deny the request based upon the size of the tower and the existing setback limitations laid out in the current city ordinance. Ms. Tippet also asked the council to at least postpone the vote to find a more suitable location for the tower where it won't be in such close proximity to as many people, as she is not opposed to having a tower somewhere that is less densely populated.

Trey Hughley, President of the Opelika Dawg Pound travel football team, spoke next. Mr. Hughley stated that they had a contract with the Opelika Parks & Recreation Board to play their home football games at Morris Field and they have now been told they cannot use the field anymore with one home game left on their schedule. Mr. Hughley then stated they were told that this was because of noise and parking complaints being made against them. Mr. Hughley stated that they always only have amplified sound during the day until 6:00 pm, that they have no control over where people park, and all they can do is call the police. Mr. Hughley closed by stating now they do not have anywhere to play their last game and asked the council for their help with this. President Smith asked Mr. Gunter if the contract they had went through November. Mr. Hughley answered yes, November 30. President Smith asked if that contract had been cancelled. Mr. Hughley answered yes. Mr. Hughley then stated they pay \$500 per game to play at Morris Field and the bathrooms are broken, the lines aren't put on the field, and there are never enough trash receptacles, and yet they get all the blame. Ms. Norris then asked President Smith if she could speak and suggested the city ask the Parks & Recreation Board to honor the contract at least through this season, for their last game, and then possibly come back to the table after to figure something out moving forward. Mr. Norris then stated that

she personally has a connection with the Dawy Pound because they practice at Bandy Park, the amount of kids involved, the support the program has in the community, and the revenue they generate for the city, and she would like for the city to support them if they can. Ms. Norris closed by stating that this is a tremendous organization, and that she would like to see the city support them going forward like they do so many other productive community organizations. President Smith then asked Mr. Motley to speak with Mr. Hughley.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Temporary Street Closure for Younglife 5K Event on 11-13-22.

**MOTION TO APPROVE: UNANIMOUS**

**RESULT:** Passed

**MOVER:** Councilman Ward 1 Willie Allen

**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. Public Hearing - Amend Zoning Ordinance & Map: 1531 and 1617 1st Avenue, 8.928 Acres, from M-1 to PUD.

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.

12. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. One (1) 2023 Chevy Tahoe - ED.

**RESOLUTION NO. 314-22**

**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

2. Gasoline and Ultra Low Sulfur #2 Diesel - PW.

**RESOLUTION NO. 315-22**

**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

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

**RESOLUTION NO. 316-22**

**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

2. Emergency Repairs - Garbage Truck #838 - OES.

**RESOLUTION NO. 317-22**

**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. Emergency Purchase - Two (2) Pumps at Saugahatchee Station - PW.

**RESOLUTION NO. 318-22**

**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

4. Purchase - One (1) 2023 John Deere Gator - Sourcewell Contract #031121-DAC - PW.

**RESOLUTION NO. 319-22**

**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

5. Purchase - One (1) Sulzer Submersible Pump - Sole Source - PW.

**RESOLUTION NO. 320-22**

**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

6. Purchase - One (1) 87HP/480V/Homa Pump - Sole Source - PW.

**RESOLUTION NO. 321-22**

**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

7. Accept Public Infrastructure and Utilities of Subdivisions - ENG.

**RESOLUTION NO. 322-22**

**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

8. Approve Agreement with Davis Architects, Inc. for Aquatic Facilities Project - ADMIN.

**RESOLUTION NO. 323-22**

**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

9. Approve Professional Services Agreement with Woolpert, Inc. for Aerial Photography Services - IT.

**RESOLUTION NO. 324-22**

**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

10. Approve Professional Services Contract with Seay, Seay & Litchfield, P.C. for Denson Recreation Center Renovations - ADMIN.

**RESOLUTION NO. 325-22**

**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

11. Request for Approval of a Special Use Permit with Verizon Wireless at 600 Floral Street - (Tabled).

President Smith asked if there was a motion to remove the item from the table. Mr. Rauch made a motion to remove the item from the table. There was no second. President Smith then stated, hearing no second, the item would remain on the table.

12. Request for Approval of a Special Use Permit with AT&T at 2605 Tower Street.

**RESOLUTION NO. 326-22**

**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

13. Annual Appropriation Contract FY2023 with Arts Association of East Alabama - (Tabled).

President Smith asked if there was a motion to remove the item from the table. Mr. Rauch made a motion to remove the item from the table. There was no second. President Smith then stated, hearing no second, the item would remain on the table.

14. Annual Appropriation Contract FY2023 with One Voice Shelter Coalition.  
During discussion, Ms. Norris stated that she knows the budget for the year has already been approved, but she would like to see if the city could possibly use ARPA funds to give some additional money to One Voice Shelter Coalition as they provide a tremendous benefit to the city.

**RESOLUTION NO. 327-22**

**MOTION TO APPROVE: UNANIMOUS**

**RESULT:**     **Passed**  
**MOVER:**     Councilman Ward 1 Willie Allen  
**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

15. Annual Appropriation Contract FY2023 with Opelika Downtown Redevelopment Authority.

**RESOLUTION NO. 328-22**

**MOTION TO APPROVE: UNANIMOUS**

**RESULT:**     **Passed**  
**MOVER:**     Councilman Ward 1 Willie Allen  
**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

16. Annual Appropriation Contract FY2023 with Opelika Chamber of Commerce.

**RESOLUTION NO. 329-22**

**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, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith  
**NAYS:** None  
**ABSTAIN:** Councilman Ward 5 Todd Rauch

17. Annual Appropriation Contract FY2023 with Storybook Farm.

**RESOLUTION NO. 330-22**

**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

18. Approve Contract for Services with Esperanza House.

**RESOLUTION NO. 331-22**

**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

19. Approve Funding Agreement with Auburn Opelika Habitat for Humanity.

**RESOLUTION NO. 332-22**

**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

20. Approve Funding Agreement with The Fuller Center for Housing, Inc.

**RESOLUTION NO. 333-22**

**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

21. Special Appropriation to Opelika Main Street for 2022 Christmas in a Railroad Town Event on 12-09-22.

**RESOLUTION NO. 334-22**

**MOTION TO APPROVE: UNANIMOUS**

**RESULT:** Passed

**MOVER:** Councilman Ward 1 Willie Allen

**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

14. **ORDINANCES**

President Smith asked Mr. Gunter to present the ordinances.

1. Amend Zoning Ordinance & Map: 1531 and 1617 1st Avenue, 8.928 Acres, from M-1 to PUD - 1st Reading.

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

15. **APPOINTMENTS**

President Smith presented the appointments.

1. Appoint Christie Hill to the Lee Russell Council of Governments MPO Citizen Advisory Committee. New Term expires 11-05-2024.

**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

2. Reappoint Sherri Reese to the Lee Russell Council of Governments MPO Citizen Advisory Committee. New Term expires 11-05-2024.

**MOTION TO APPROVE: UNANIMOUS**

**RESULT:** Passed

**MOVER:** Councilman Ward 1 Willie Allen

**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

16. ADJOURN

The City Council meeting minutes of November 1, 2022 are hereby adopted and approved this the 15th day of November, 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 - Gratitude, the quality of being thankful; readiness to show appreciation for and to return kindness.  
President Smith read the character trait of the month and asked for a motion to adjourn.

2. Motion to Adjourn.

**MOTION TO ADJOURN: 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

The council meeting ended at 06:53 pm.