



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

November 2, 2021

TIME: 7:00 PM

1. CALL TO ORDER

President Smith called the council meeting to order at 07:00 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, Todd Rauch, Eddie Smith

3. INVOCATION

Shawn Constance provided the invocation.

1. Shawn Constance from First Presbyterian Church.

4. PLEDGE OF ALLEGIANCE

Emmitt Haynie and Mary Hilyer led the Pledge of Allegiance.

1. Emmitt Haynie and Mary Hilyer from Southview Primary School.

5. READING OF MINUTES

1. Minutes from the 10-19-21 council meeting.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

6. UNFINISHED BUSINESS

1. Ordinance to Amend Zoning Ord & Map: 166 Acres, Hwy 431 & Cusseta Road - 1st Reading.

FIRST READING AND INTRODUCED

President Smith asked if a member of the council would introduce the ordinance since no action was taken at the previous meeting. Mr. Allen introduced the ordinance for a first reading.

7. REMARKS BY THE MAYOR

Mayor Fuller first announced a community visioning workshop for the 2040 Comprehensive Plan at the Opelika Public Library on Wednesday November 3, 2021 at 6:30 pm. Mayor Fuller then announced the passing of former two-term Mayor of Opelika Bobby Freeman earlier in the day, and stated that one of his major contributions as Mayor of Opelika was bringing the Robert Trent Jones Golf Course to Opelika.

1. Proclamation for November as National Epilepsy Awareness Month.
Mayor Fuller asked Opelika Police Chief Shane Healey, Janataka Holmes, and her son Jae to come up front and then read the proclamation. Chief Healy then announced a program the Police Department is launching called Project S.A.F.E.R. that stands for Special Assistance For Emergency Response. Chief Healy explained further that the program focuses on providing information through a special needs registry which will allow first responders to better assist individuals with cognitive, developmental, or mental health disabilities in the event of an emergency.

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

Steven Ward with Trademark Quality Homes in LaGrange, Georgia spoke first. Mr. Ward first thanked the council for what they do for Opelika and stated that Barrett Simpson has been critical in helping them create quality projects in the area, and currently have one going and hope to have the council approve the Blackberry Reserve project as well. Mr. Ward then explained the goal of Trademark Quality Homes and the many projects they have developed in Georgia and Alabama, and how they are looking forward to helping with the need for single family housing in Opelika due to the good schools, employment, and the amenities available making people want to live here. Mr. Ward then passed out a booklet with the types of housing plans available for the project at Blackberry Reserve, and then spoke about some of the specifics related to their work including natural buffers left in place during and after the development for extra privacy. Ms. Norris then asked what the selling point of the houses would be. Mr. Ward answered that it has not been determined exactly due to increasing prices of building materials, it would most likely be in the \$350,000 to \$550,000 range depending on what happens down the road, but he would not want to commit to any price point at this time.

Blake Rice with Barrett Simpson Engineering spoke next. Mr. Rice stated he would be speaking about the Blackberry Reserve project as well and explained the details of the project from a development standpoint. Mr. Rice stated it would be a maximum of 242 single family homes ranging anywhere from 85 to 90 foot lot widths up to 150 foot lot widths, and at least two thirds of the development will be right-of-way graded only, meaning the roads will be cut in and this project will not be mass graded, allowing the existing forest to stay until such time as an individual house lot is selected with limited clearing of trees. Mr. Rice then

stated they have not seen these types of lots in Opelika in some time, explaining there would be two access points and deceleration lanes at each on Cusseta Road, as well as an undisturbed buffer between the rear of the closest lots and the right-of-way on Cusseta Road. Mr. Rice stated the overall density is significantly less than what they see in most developments, with this one being one and a half lots per acre, and he ended by stating he would be happy to answer any questions the council might have about the project and provide any additional information needed.

Oscar Penn of 18 Jeter Ave spoke next. Mr. Penn stated he was speaking on behalf of the Concerned Citizens of Opelika about the old Ferguson Chapel Church building on South 4th Street that is owned by the Prince Hall Masons and is scheduled for demolition. Mr. Penn stated he is not up to date on all the details, but is concerned about losing the building as it has a lot of historical value, including being where most of the teachers in that area during segregation attended church, teaching the children of that area bible school and life lessons. Mr. Penn then asked if there is any way the Prince Hall Masons and city officials could work together to preserve that building, the Concerned Citizens of Opelika would appreciate it.

Janataka Holmes, who was presented the proclamation by the Mayor earlier, spoke last. Ms Holmes thanked the council for their support and invited them to the "Glow for Epilepsy Awareness" event with vendors, games, and treats on Sunday at courthouse square.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - Opelika Food Mart LLC. dba Opelika Food Mart, Wine and Beer Off Premise.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Public Hearing - Demolition 315 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 demolition. Mr. Derrick Baker spoke to council about the building in question and requested for the council to table the demolition to give them more time to work on the building. Mr. Baker gave specific plans for improvements, including

having a structural engineer oversee the improvements, and let the council know that he would be personally responsible for getting the work done. President Smith then explained to Mr. Baker that he would ask the council to go ahead and pass the resolution for demolition, but as they have done in the past, they would ask the Mayor to work with them for a six-month period, and then review the progress at that time to determine if they should actually move forward to demolish the building. Ms. Emily Key spoke next and thanked Mr. Baker for being there to also ask that the building not be demolished because it deserves to stand, was built in 1902, and it is a prominent feature of the community in that area. President Smith closed the public hearing.

3. Public Hearing - Weed Abatement Assessment - 0 Frederick Road.
Mr. Jones presented the public hearing. President Smith opened the public hearing and asked if anyone present would like to speak for or against said weed abatement. No one came forward to speak. President Smith closed the public hearing.
4. Public Hearing - Weed Abatement Assessment - 2902 Watson 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.
5. Public Hearing - Amend Zoning Ordinance & Map: 3.2 Acres, 1200 block South Fox Run Parkway.
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 zoning amendment. No one came forward to speak. President Smith closed the public hearing.
6. Public Hearing - Amend Zoning Ordinance: by amending Sections 2.2, 6.4, 7.3, 7.6, 7.8, 8.14, 8.18.1, 8.24, 8.26, 8.27 and Section IX and specifically by adopting new Sign Regulations.
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 zoning amendment. No one came forward to speak. President Smith closed the public hearing.
7. Request Temporary Street Closure for Epilepsy Awareness Event on 11-07-21.
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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

12. AWARDING OF BIDS

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

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

SECONDER: Councilman Ward 5 Todd Rauch

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

NAYS: None

ABSTAIN: None

2. Purchase - One (1) 2021 Ford Crew Cab - State Contract #T191 - PW.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Purchase - One (1) 2021 Ford F250 Super Cab X2A - State Contract #T191 - PW.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Purchase - EPAC3108 NEMA Controller - Sole Source - PW.

MOTION TO APPROVE: UNANIMOUS

RESULT:

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

5. Purchase - Three (3) Substation Control Houses - Sole Source - OPS.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

6. Approve Amendment to CDBG PY2019 and PY2020 Action Plans and Reprogram Funds.

During discussion, Ms. Norris asked if they knew what the funds being moved to the Family Resource Center and Opelika Main Street were to be used for. Lisa Thrift, Community Development Administrator, answered that the funds for the Family Resource Center would be used to assist with rent, utilities, housing, hotel vouchers and child care services, and Opelika Main Street would be using their funds for acquisition of a property and also for developing a small business program to assist minority and women owned businesses do start-ups. Ms. Norris thanked Mrs. Thrift for the information and also wanted to recognize Nell Finley of the Family Resource Center and stated what an amazing job they are doing in the community and how those funds would be put to good use.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

7. Approve Funding Proposal from PRF Teaching Ministry for a Program to Help Individuals Rise Above Poverty.

During discussion, Ms. Norris stated she wanted to go on record and highlight Dr. Dunlap for the work he has done in the community, and how he is an excellent resource for anyone who is looking to improve themselves financially to possibly purchase their own home. Ms. Norris also stated Dr. Dunlap works with Regina Meadows of Circles Opelika and they provide the same type of services, and gave kudos to them for the job they are doing.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

8. Approve Service Agreement with Gartner, Inc. for I.T. Leaders Individual Access Advisor - IT.

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 4 - President Smith,
 Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

9. Authorize Engagement Letter with Himmelwright, Huguley, & Boles, LLC for Annual Auditing Services.

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 4 - President Smith,
 Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

10. Demolition - 315 S. 4th Street.

MOTION TO APPROVE: UNANIMOUS

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

11. Weed Abatement Assessment - 0 Frederick Road.

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 4 - President Smith,
 Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

12. Weed Abatement Assessment - 2902 Watson St.

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

13. Annual Appropriation Contract FY2022 with Employers' Child Care Alliance.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

14. Annual Appropriation Contract FY2022 with Lee County Rabies Officer.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

15. Engineering Services Agreement for a new roundabout at Veterans Parkway and Academy Drive - ENG.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

16. Engineering Services Agreement for a Traffic Study at Exit 62 on I-85 - ENG.

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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

17. Engineering Services Agreement for improvements to Pepperell Parkway from City limits to Lowndes Street - ENG.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

18. Engineering Services Agreement for CSX Railroad Crossing Improvements at Airport Road for the Veterans Parkway Extension Project - ENG.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

19. Renew the Roadway Improvement Contract with Robinson Paving Company - ENG.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

20. Accept Resignation of Councilmember Robert M. Lofton.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

14. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Approve Regulations Restricting the Sale of Dogs and Cats at Pet Shops and Pet Supply Stores - 2nd Reading.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Amend Zoning Ordinance & Map: 3.2 Acres, 1200 block South Fox Run Parkway - 1st Reading.

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

3. Amend Zoning Ordinance - Sections 2.2, 6.4, 7.3, 7.6, 7.8, 8.14, 8.18.1, 8.24, 8.26, 8.27 and Section IX and specifically by adopting new Sign Regulations – 1st Reading

President Smith asked for a member of the council to introduce the ordinance. Ms. Norris introduced the ordinance.

4. Set the Municipal Special Election for the Vacant Councilmember Place Number 3 - 1st Reading.

President Smith asked for a member of the council to introduce the ordinance. Ms. Norris introduced the ordinance. Then Mr. Rauch made a motion to suspend the rules and was seconded by Ms. Norris.

MOTION TO SUSPEND THE RULES: 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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

Then President Smith asked for a motion to approve the ordinance setting the dates for the special election.

FIRST READING AND APPROVED: 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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

President Smith presented the appointments.

1. City Council Planning Commission Appointment.

President Smith opened the floor for nominations to fill the vacancy on the Planning Commission. Mr. Rauch nominated Councilman George Allen. President Smith then asked if there were any other nominations. There were no other nominations. Then President Smith asked for a motion to close the nominations.

MOTION TO CLOSE NOMINATIONS: 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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

Then President Smith asked for a motion to appoint Mr. Allen to the Planning Commission.

MOTION TO APPROVE APPOINTMENT: 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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

16. ADJOURN

The City Council meeting minutes of are hereby adopted and approved this the 16th day of November, 2021.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones

Russell A. Jones
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 then asked if there was any other business to come before the council.

2. Motion to Adjourn.

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 4 - President Smith,
Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

The council meeting ended at 7:42 pm.