



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

January 17, 2023

TIME: 6:00 PM

1. CALL TO ORDER

President Smith called the council meeting to order at 06:00 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, Tim Aja, Todd Rauch, Eddie Smith

3. INVOCATION

Mr. Tippet provided the invocation.

1. Tom Tippet from Christian Care Ministries.

4. PLEDGE OF ALLEGIANCE

Mason and Samantha led the Pledge of Allegiance.

1. Mason Bailey and Samantha Blodget from Southview Primary

5. READING OF MINUTES

1. Minutes from the 01-03-23 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

Mayor Fuller began by expressing condolences to the family of Lee County Commissioner John Andrew Harris, who passed away over the weekend. Mayor Fuller also reminded everyone about a special election for the renewal of an 11

Mil Ad Valorem tax for Opelika City Schools on Tuesday February 28, 2023, and that absentee balloting had already begun.

1. Appoint Jay Walters to the Opelika Planning Commission. New Term expires 02-15-2029.
Mayor Fuller announced he was appointing Jay Walters to the Opelika Planning Commission to replace Lewis Cherry, whose term was expiring and chose not to be reappointed.
2. City's Financial Summary Report for December 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.
3. December 2022 Monthly Building Report.
Mayor Fuller asked Mr. Motley to give the monthly building report and Mr. Motley did so.
4. Attaboy Awards for Terry Coxwell and Nathan Mallory of OPS.
Mayor Fuller invited Dr. Stephen Dawe, Chief Technology Officer, Brent Poteet, Director of Opelika Power Services, Terry Coxwell, and Nathan Mallory up front. Mayor Fuller asked Dr. Dawe to explain the reason behind the "Attaboy" awards for Mr. Coxwell and Mr. Mallory. Dr. Dawe explained that before Christmas the city decided that there needed to be a new sound system downtown and Mr. Coxwell and Mr. Mallory were instrumental and worked many long hours to make that possible in just about 3 weeks' time after the hardware was delivered. Mr. Poteet then also spoke about the great work Mr. Coxwell and Mr. Mallory do and stated they were very deserving of the awards. Mayor Fuller then presented them the awards and thanked them both for their hard work.
5. Proclamation for January 2023 as Cervical Cancer Month.
Mayor Fuller then invited Julianna Colley up front. Mayor Fuller introduced Ms. Colley, a 2-time cervical cancer survivor, read the proclamation, and presented it to her.
6. Proclamation of Appreciation to First United Methodist Church Members.
Mayor Fuller then invited Melanie Smyly and Kristina Neely Stehouwer up front. Mayor Fuller read the proclamation of appreciation for arranging shelter for those in need during the recent cold weather event. During the reading of the proclamation, Mayor Fuller asked Ms. Stehouwer to explain what all was in the care packages provided to the folks in need. Ms. Stehouwer gave a short description of what all was in the care packages. Mayor Fuller then thanked them and presented them the proclamation.
7. Presentation by the Opelika Pickleball Club.
Mayor Fuller then invited Joey Motley, City Administrator, Sam Bailey, Director of Parks & Rec, and Jim Young, President of the Opelika Pickleball Club, up front. Mayor Fuller asked Mr. Young to tell everyone about the presentation. Mr. Young stated he was there on behalf of the Opelika Pickleball Club to thank the city for it's vision for the sport of pickleball and then gave some statistics about the number of players from all over the country, tournaments they have been able to host, and the economic impact of having the 24 covered pickleball courts the city has provided. Mr. Young then presented Mayor Fuller and the City of Opelika a check in the amount of \$60,000 as a sign of appreciation for it's investment in pickleball. Mr. Bailey then spoke about how it shows how great of a partnership this has been and what an asset the city has in the pickleball courts. Mayor Fuller stated this is the second time the Opelika

Pickleball Club has given this amount back to the city, and then thanked Mr. Young.

President Smith then thanked Mayor Fuller, Ms. Smyly and Ms. Stehouser for their efforts in reaching out to Mr. Patel about getting some hotel rooms available for people in need during the cold weather event during the holidays.

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

Evelyn Mickle of 1003 Glenn Street spoke first. Ms. Mickle first stated a concern about the rapid growth of the city and the traffic issues it is causing. Ms. Mickle then stated how much she loves Opelika and doesn't want Opelika to just let building and development get out of hand like what happened in Auburn. Ms. Mickle then expressed concern about the city schools being overcrowded due to overgrowth, the location of the new sixth grade school, the traffic concerns that will create, and then stated the city should be considering how to manage all of those things. Ms. Mickle closed by stating she cares about the city and just wants to see Opelika succeed.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - RaceTrac Alabama Inc. dba RaceTrac #2628, Retail Beer Off Premise and Retail Wine Off 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. Public Hearing - Amend Zoning Ordinance & Map: 2700 Block Society Hill Road, 67.6 Acres, from C-2 & R-1 to C-2.

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 - Amend Zoning Ordinance & Map: 2701 Society Hill Road, 16.47 Acres, from C-2 to C-3.

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

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

RESOLUTION NO. 004-23

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. Designate City Personal Property Surplus and Authorize Disposal

RESOLUTION NO. 005-23

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

3. Purchase - Uniform Purchase and Rental Contract Renewal - Omnia Contract #R-BB-19002 - ADMIN.

RESOLUTION NO. 006-23

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

4. Purchase - Cisco Umbrella Software - National IPA Contract #2018011-01 - IT.

RESOLUTION NO. 007-23

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 - Desktop/Endpoint, Server Security, and Firewall Protection - National IPA Contract #2018011-01 - IT.

RESOLUTION NO. 008-23

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

6. Request Refund of Building Permit Fees Paid in Error - Hooper Homes, LLC.

RESOLUTION NO. 009-23

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

7. Request Refund of Occupational Taxes Paid in Error - TR Group.

RESOLUTION NO. 010-23

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

8. Special Appropriation to 3D Youth Development Academy, Inc.

RESOLUTION NO. 011-23

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

9. Special Appropriation to J. W. Darden Foundation - Annual Black Tie Gala.

RESOLUTION NO. 012-23

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

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 - 2nd Reading - (Tabled).

Mr. Gunter explained that the developer had requested that the item remain on the table, and without a motion to remove it from the table, it would remain there. No motion was given.

2. Amend Zoning Ordinance & Map: 2700 Block Society Hill Road, 67.6 Acres, from C-2 & R-1 to C-2 - 1st Reading.

FIRST READING: INTRODUCED

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

3. Amend Zoning Ordinance & Map: 2701 Society Hill Road, 16.47 Acres, C-2 to C-3 - 1st Reading.

FIRST READING: INTRODUCED

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

4. Authorize the Conveyance of Real Property to Opelika Utilities Board - 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. Aja made a motion to suspend the rules. Ms. Norris seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: 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

President Smith then asked if there was a motion to approve the ordinance at second reading. Mr. Allen made a motion to approve. Ms. Norris seconded the motion. There was no discussion and the following vote was recorded:

ORDINANCE NO. 002-23

SECOND READING AND APPROVED: 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. APPOINTMENTS

16. ADJOURN

The City Council meeting minutes of January 17, 2023 are hereby adopted and approved this the 7th day of February, 2023.

/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 - Integrity, the quality of being honest and having strong moral principles.
President Smith read the character trait of the month, asked if there was any other business to come before the council, and then asked for a motion to adjourn.
2. Motion to Adjourn.

MOTION TO ADJOURN: 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

The council meeting ended at 06:34 pm.