



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

February 7, 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. Barnes provided the invocation.

1. Hamlet Barnes from Mustard Seed Faith Center.

4. PLEDGE OF ALLEGIANCE

Branch and Palmer led the Pledge of Allegiance.

1. Branch Miller and Palmer Lane from Northside Intermediate School.

5. READING OF MINUTES

1. Minutes from the 01-17-23 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. 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. Recognize the Opelika School Teachers of the Year.

Mayor Fuller invited Dr. Farrell Seymore, Superintendent of Opelika City Schools, up front to join him in recognizing the Opelika City Schools teachers of the year. Mayor Fuller then invited each school principal, with their respective teachers, up front to say a few words about why they were selected as a teacher of the year, and then presented each of them with a gift. Dr. Seymore then thanked the Mayor and Council for the opportunity to recognize the teachers, and also reminded everyone about the upcoming election for the renewal of ad valorem taxes that go to Opelika City Schools.

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

Ali Rauch, President and CEO of the Opelika Chamber of Commerce, of 2240 Lakeview Drive spoke first. Ms. Rauch spoke about the upcoming election for the renewal of ad valorem taxes that go to Opelika City Schools and encouraged everyone to vote for the renewal. Ms. Rauch also stated that yard signs and stickers for the renewal were available to the public at the Chamber and O-Town Ice Cream.

Allan Garner of 1304 Crawford Road spoke next. Mr. Garner stated that he was concerned about the amount of trash accumulating on Crawford Road and would like the city to find a more permanent solution to the problem. Mr. Garner also stated that Crawford Road, due to it's topography, site-lines, and the large number of semi-trucks, is a very dangerous road and he would like to see the city reduce the speed limit from 55 mph to 45 mph all the way to the city limits.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - Player 2 LLC dba Level 1 Bar and Lounge, Restaurant Retail Liquor and Retail Beer on Premise.

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. Request from Opelika Chamber for S. Railroad Parking Spot Closures on 02-21-23.

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 for Bison Stampede 5K Event at the Opelika Sportsplex on 03-25-23.

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. Public Hearing - Demolition - 118 Chester 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. No one came forward to speak. President Smith closed the public hearing.

5. Public Hearing - Demolition - 800 Kilgore 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. Twalette Bynum of 800 Kilgore Street spoke against the demolition. Anthony Bryant of 1503 Harper Street also spoke against the demolition, and stated they would demolish the structure themselves if given the time. President Smith asked if they were the owners of the home. Ms. Bynum answered yes. President Smith closed the public hearing.

6. Public Hearing - Amend Zoning Ordinance & Map: 2900 Block Anderson Road, 8.1 Acres, from R-3 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

13. RESOLUTIONS

President Smith asked if Mayor Fuller would read and present the first resolution. Mr. Gunter then presented the rest of the resolutions.

1. Naming of Street in Opelika Northeast Industrial Park.

After the reading by Mayor Fuller and approval of the resolution by the council, Mayor Fuller invited Mrs. Patsy Parker and the Opelika Industrial Development Board up front and revealed the street sign. Mrs. Parker then took a moment to thank everyone for the honor.

RESOLUTION NO. 013-23

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. Expense Reports from Various Departments.

RESOLUTION NO. 014-23

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

3. Designate City Personal Property Surplus and Authorize Disposal.

RESOLUTION NO. 015-23

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

4. Purchase - One (1) Stationary Compactor 245IP and 40 Cu. yd. Standard Duty Octagon Receiver - Sourcewell Contract #040621-WQI - OES.

RESOLUTION NO. 016-23

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

5. Purchase - Twenty-two (22) Docking Stations with Printers and Accessories for PD - Omnia Partners Contract #2018011-01 - IT.

RESOLUTION NO. 017-23

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

6. Approve Quote from CDW Government for Renewal of Fire Eye Security Hardware, Software, Licenses, and Services - IT.

RESOLUTION NO. 018-23

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

7. Approve Amendment No. 7 to Agreement with ESG Operations, Inc. - PW.

RESOLUTION NO. 019-23

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

8. Approve Certain Tax Abatements and Exemptions for Cumberland Plastic Systems, LLC - ED.

RESOLUTION NO. 020-23

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

9. Approve MOU to Establish a Multi-Agency Gun Crimes Task Force - OPD.

RESOLUTION NO. 021-23

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

10. Appoint Election Officials for 11 Mil School Tax Renewal Special Election on February 28, 2023.

RESOLUTION NO. 022-23

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

11. Demolition - 118 Chester Street.

RESOLUTION NO. 023-23

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

12. Demolition - 800 Kilgore Street.

During discussion, Ms. Norris asked what the city's response to the owner's request for more time would be. Mr. Gunter stated there had been a permit purchased to repair the structure. Chief Building Inspector Jeff Kappelman stated that was incorrect as the permit for repairs was for the property on Chester Street. Mr. Aja then asked for clarity if the city would still demolish the structure even if Mr. Bryant wanted to demolish it himself. Mr. Allen stated that, normally, if they contacted the Mayor and his team about their intentions to do the work themselves, the Mayor and his team would allow them to do so. Mr. Gunter then stated that the city's administration would request that the council approve the resolution for demolition and the Mayor's office and Building Inspections department would then work with the citizens to accommodate them if they wished to demolish the structure themselves. Ms. Norris stated that there would be an opportunity for them to have a conversation and do the work themselves. President Smith stated that they normally go through this process, so the city has some leverage to see that the work gets done one way or another.

RESOLUTION NO. 024-23

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. Grant Application to ADEM for Alabama Recycling Fund Grant Program.

RESOLUTION NO. 025-23

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

14. Request for Approval of a Special Use Permit with Dish Wireless at 600 Floral Street.

During discussion, Ms. Norris asked if this was an existing structure that they were asking to make changes to. Mr. Aja stated that this was the tower that was approved by the council to be constructed, but it had not been built yet. Mr. Jones stated that David Andrews, the city's consultant on the matter, was present and could speak to the council. Mr. Andrews stated that the resolution was for a co-location application due to the original permit for the tower being to Verizon Wireless only. Mr. Andrews then stated that as soon as the tower is finished, this would allow Dish Wireless to also provide service from the tower, once it was constructed. Mr. Aja asked about when they would be breaking ground on the tower. Mr. Andrews answered that they hope to start in the next few weeks.

RESOLUTION NO. 026-23

MOTION TO APPROVE: 4 TO 1

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

15. Special Appropriation to Envision Opelika Foundation for the Opelika Character Council.

RESOLUTION NO. 027-23

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

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 - 2nd Reading.

ORDINANCE NO. 003-23

SECOND READING AND APPROVED: 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

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

ORDINANCE NO. 004-23

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

4. Amend Chapter 27 of the City Code of Ordinances: Tree or Plant Protection and Management - 1st Reading.

FIRST READING: INTRODUCED

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

5. Amend Zoning Ordinance & Map: 2900 Block Anderson Road, 8.1 Acres, from R-3 to PUD - 1st Reading.

FIRST READING: INTRODUCED

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

6. Reschedule the 1st Regular Meeting of the City Council for July 2023 - 1st Reading.

FIRST READING: INTRODUCED

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

15. APPOINTMENTS

President Smith presented the appointments.

1. Appoint Brandon Hilyer to the Board of Zoning Adjustments (BZA). Existing Term expires 02-11-2025.

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. Reappoint Raven Harvis to the Board of Zoning Adjustments (BZA). New Term expires 02-11-2026.

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

16. ADJOURN

The City Council meeting minutes of February 7, 2023 are hereby adopted and approved this the 21st 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 - Loyalty, a strong feeling of support or allegiance. President Smith 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 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

The council meeting ended at 06:49 pm.