



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

April 4, 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. Sutton provided the invocation.

1. Loren Sutton from Airview Church of God.

4. PLEDGE OF ALLEGIANCE

Keely and Leah led the Pledge of Allegiance.

1. Keely Rider and Leah Bethea from Opelika High School.

5. READING OF MINUTES

1. Minutes from the 03-21-23 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. Allen 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. Attaboy and Attagirl Awards - Accounting Department.

Mayor Fuller invited Cindy Boyd, Controller/Treasurer, Joey Motley, City Administrator, Jon Hayes, Kelly Smith, Donna K. Smith, Gwin Ligon and Jessica Pitts up front. Mayor Fuller read a statement from Ms. Boyd about the accounting department and how great of a job they are doing, including having no accounting findings in the city's most recent financial audit. Ms. Boyd then stated how proud she is of all of them and how much she appreciates the jobs they do and how much they care about their jobs. Mayor Fuller then presented each of them with an attaboy/attagirl award in appreciation of their hard work.

2. 20 Under 20 Student Exploratory Program Graduates (OPD).

Mayor Fuller invited Police Sergeant Johnathan Whaley, Police Captain Tony Amerson, Opelika Fire Chief Shane Boyd, and all the Opelika Police Department School Resource Officers up front. Sergeant Whaley then explained the 20 Under 20 Exploratory Program where students at Opelika High School get to learn about both the Police Department and the Fire Department, what they each do and also get CPR certified. Captain Amerson stated they are really proud of the young ladies and gentlemen that participated, and hopefully one day, because of the program, they will come back and want to be a police officer or firefighter, and also to go out in the community and advocate for the departments. Fire Chief Boyd also echoed the same and thanked the police department for letting them be involved in the program. Sergeant Whaley then called up each participant that was present, and Mayor Fuller presented them with a gift.

3. Proclamation for Black Maternal Health Week in Opelika.

Mayor Fuller then invited Dr. Katilya Ware and Reverend Michael Burton up front. Mayor Fuller read the proclamation and presented it to them.

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 on behalf of the Opelika Chamber and the business community in Opelika in favor of the proposed ordinance regarding the brunch bill. Ms. Rauch stated that businesses affected by the ordinance would see increased revenues, and in turn increase tax dollars for the city, more job opportunities, meet consumer demands, promote tourism, and also provide some consistency with our neighboring city. Ms. Rauch closed by encouraging and recommending the council to support the ordinance.

Thomas Johnson of 421 Opelika Road, Auburn, Alabama with Holland Homes, spoke next. Mr. Johnson stated that he was present representing Holland Homes for ordinance numbers 3 and 4 on the agenda and would be happy to answer any questions about them. Mr. Johnson closed by thanking Mayor Fuller, the council, planning staff, and the planning commission for all their hard work throughout the process, and how they are thrilled to be back on the agenda with a positive recommendation from the planning commission.

Geoffrey Slater of 1600 Frederick Road spoke next. Mr. Slater stated that he wanted to bring some concerns before the council about the business named Botanic, which he lives next door too. Mr. Slater then stated a number of issues that have arisen as a result of Botanic's success including noise nuisances, construction debris blocking their sole access driveway for any possible emergency vehicles, and neglect by the business owner to take ownership of those things that affect his family's quality of life. Mr. Slater also stated that all

communication between himself and the business owner, Mr. Braswell, have effectively broken down, as now anytime they try and contact Mr. Braswell, he tells him to "call the police". Mr. Slater continued that the police have been called recently due to an issue with noise at one of the events at Botanic and that issue has been scheduled for a court hearing. Mr. Slater closed by stating that he believes Mr. Braswell thinks that the success of his business is of much greater importance than the quality of their lives, quoted the City of Opelika's mission statement, and stated he would leave his contact information for anyone that would like more information from him about the issues. President Smith asked Mr. Slater to speak with City Administrator Joey Motley before he left.

Timothy Lowery of 3900 Cahaba Street spoke next. Mr. Lowery stated he was there to speak in favor of the ordinance regulating the hours of alcohol use on Sundays. Mr. Lowery then thanked Ms. Norris for taking up the conversation with him, as he spoke with her approximately a year ago, about expanding the alcohol sales hours when he was opening Next Level Cafe. Mr. Lowery also stated that he had spoken with almost all the council members since that time, and thanked them for looking into it at his request. Mr. Lowery then stated one of his biggest reasons for supporting it is that he got a lot of feedback from his customers about why they could not sell alcohol until 12:00 pm noon, when they could go 10 minutes down the road to Auburn and get it at 10:00 am, and some of them would even leave because of it. Mr. Lowery closed by again giving his support for the ordinance and thanked the council.

Siobhann Jones of 529 Waterpoint Way spoke next. Ms. Jones stated she was there to talk about a bar/lounge called Level One, located at 2800 Pepperell Pkwy, and their noise level being excessive and asked what the zoning is for the establishment. Ms. Jones stated that she lives four rows of houses away from them, but starting at 8:00 pm until 1:00 am, she can hear the music all the way back to where her house is, and the bass is so loud that it actually shakes her windows in her home. Ms. Jones also stated that it starts Tuesdays through Thursdays, and then on Fridays and Saturdays it continues until 3:00 am. Ms. Jones closed by stating that her HOA told her that she would have to address the city council about the issue, so she was present to address the city council about the noise and to see what was going on with the zoning for the establishment.

Latara Gilliard of 2801 Ridge Crest Court spoke next. Ms. Gilliard stated that she was also present to speak about the noise coming from the Level One bar, as she lives directly behind it. Ms. Gilliard also stated that Level One starts the music at 8:00 pm and goes until 3:00 am, and that it is not just the music, but stated that it is actually a nightclub and not a bar like they claim to be. Ms. Gilliard then stated that she works as a postal worker, she cannot sleep because they have it going on all night, and she has to be up at 5:00 am to go to work. Ms. Gilliard stated that her quality of life has been disturbed by this, that she and her husband saved and waited eight years to have her own home there, only to be disturbed by this club, and how it is hurtful, insulting, and she is extremely bothered by it. Ms. Gilliard stated that she also spoke with the HOA, and they told her they couldn't do anything about it and to address the council. Ms. Gilliard closed by stating that she hopes the city can do something about it because they are not just a bar, that they are a nightclub.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - SUN IL 22 LLC dba Mandarin House, Restaurant Retail Liquor and Retail Beer on Premise License.

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. Request Alcohol License - Seafood Opelika Inc. dba Kpot Korean BBQ and Hotpot, Restaurant Retail Liquor and Retail Beer on Premise License.

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. Request Temporary Street Closure - New Spirit Missionary Baptist Church Family Fun Day on 04-08-23.

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

12. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. Emergency Debris Removal - PW.

RESOLUTION NO. 070-23

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

2. Switches for Substation 10 - OPS.

RESOLUTION NO. 071-23

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

13. RESOLUTIONS

President Smith asked Mr. Jones to present the resolutions.

1. Expense Reports from Various Departments.

RESOLUTION NO. 072-23

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

2. Designate City Personal Property Surplus & Authorize Disposal.

RESOLUTION NO. 073-23

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

3. Purchase - Sixteen (16) OptiPlex 5400 AIO Desktop Computers - State of AL Contract #MA 230000003898 - IT.

RESOLUTION NO. 074-23

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

4. Purchase - One (1) Marathon RJ-250 Self Contained 34 Cu. Yd. Compactor - Sourcewell Contract #0406921-MEC - OES.

RESOLUTION NO. 075-23

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. Accept Proposal from Sain and Associates for Northern Perimeter Corridor Feasibility Study - ENG.

RESOLUTION NO. 076-23

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

6. Approve Construction Inspection Services Agreement with CDG for Andrews Road Improvement Project for Niagara Bottling Plant - ENG.

RESOLUTION NO. 077-23

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

7. Approve Final Closeout Change Order #1 for Sportsplex Intersection Roundabout - ENG.

RESOLUTION NO. 078-23

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

8. Approve Final Closeout Change Order #2 for North Uniroyal Bridge Replacement Project - ENG.

RESOLUTION NO. 079-23

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

9. Approve Professional Services Agreement with True South Properties for ROW Acquisition - ENG.

RESOLUTION NO. 080-23

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

10. Approve Restating and Revising Cemetery Rules and Regulations - ADMIN - (Tabled).

President Smith asked if there was a motion to remove the item from the table. Mr. Aja made a motion to remove the item from the table. Ms. Norris seconded the motion. The following vote was recorded:

MOTION TO REMOVE ITEM FROM THE TABLE: 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 resolution. Ms. Norris made a motion to approve. Mr. Allen seconded the motion. President Smith then asked if there was any discussion. Ms. Norris stated that she had the opportunity to speak with some local funeral home services, they provided excellent feedback about this item, and they were able to have some input about this due to the council tabling the item. Ms. Norris then made a motion to amend the resolution and read the amendment aloud for the council to consider. Mr. Allen seconded the motion to amend as presented. President Smith then asked if there was any discussion about the motion to amend the resolution as presented. Ms. Norris stated that she would like to acknowledge Mr. Aja for bringing forward the amendment about the holidays. The following vote to amend the resolution, as presented, was recorded:

MOTION TO AMEND THE RESOLUTION: 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

President Smith then asked if there was a motion to approve the resolution as amended. Mr. Aja made a motion to approve the resolution as amended. Mr. Allen seconded the motion. President Smith asked if there was any discussion. There was no discussion and the following vote to approve the resolution, as amended, was recorded:

RESOLUTION NO. 081-23

MOTION TO APPROVE AS AMENDED: 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

11. Approve Employment Contract with Joel D. Motley.

RESOLUTION NO. 082-23

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

12. Request Refund of Occupational Taxes Paid in Error - Chase Christian.

RESOLUTION NO. 083-23

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

13. Special Appropriation to the Chamber of Commerce - 20 Under Forty.

RESOLUTION NO. 084-23

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

14. Special Appropriation to KOB for 2023 Garden in the Park.

RESOLUTION NO. 085-23

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

15. Special Appropriation to The Arts Association of East Alabama.

During discussion, Mr. Aja stated that the Arts Association of East Alabama is not a municipal run association, it is a separate 501(c)(3) entity, and they are not government run. Mr. Aja then stated he had gotten the impression that there was belief in the community that it was run by the city and wanted to make clear that it was not run by the city nor should it be. Mr. Aja closed by stating that, in a continuation from his comments last fall, they strongly need to work on improving their business practices.

RESOLUTION NO. 086-23

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

14. ORDINANCES

President Smith asked Mr. Jones 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. Jones 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. President Smith then explained that he had discussed with the selling agent about having an agreement for the council to review by the next council meeting, or the council would consider removing the item from the table and the agenda. No motion was given.
2. Amend Sections 5.7-11,12,13 & 5.7-17 of the City Code of Ordinances: Prescribing Charges and Fees for Cemetery Lots and Services - 2nd Reading.
President Smith asked if there was a motion to approve the ordinance at second reading. Ms. Norris made a motion to approve. Mr. Allen seconded the motion. President Smith asked if there was any discussion. During discussion, Mr. Aja made a motion to amend the ordinance and read the amendments aloud for the council to consider. Mr. Allen seconded the motion to amend as presented. President Smith then asked if there was any discussion about the motion to amend as presented. There was no discussion and the following vote to amend the ordinance, as presented, was recorded:

MOTION TO AMEND THE ORDINANCE: 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

President Smith then asked if there was a motion to approve the ordinance at second reading as amended by the council. Ms. Norris made a motion to approve the ordinance as amended. Mr. Aja seconded the motion. President Smith asked if there was any discussion. There was no discussion and the following vote to approve the ordinance at second reading, as amended, was recorded:

ORDINANCE NO. 009-23

SECOND READING AND APPROVE AS AMENDED: 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. Amend Zoning Ordinance & Map: 3200 Block Columbus Parkway, 209.71 Acres, from Annexation to a Planned Unit Development (PUD) - 2nd Reading.

ORDINANCE NO. 010-23

SECOND READING AND APPROVED: 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. Approve Annexation Petition by Rodney and Laurie Jones - 209.71 Acres, Columbus Parkway (U.S. Highway 280) - 2nd Reading.

ORDINANCE NO. 011-23

SECOND READING AND APPROVED: 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

5. Amend Section 3-7 of the City Code of Ordinances: Regulating the Hours of Sale of Alcoholic Beverages - 1st Reading.

FIRST READING: INTRODUCED

President Smith asked for a member of the council to introduce the ordinance. Ms. Norris 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. Mr. Rauch seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: 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

President Smith then asked if there was a motion to approve the ordinance at second reading. Mr. Rauch made a motion to approve. Mr. Allen seconded the motion. During discussion, Ms. Norris thanked Mr. Timothy Lowery, the owner

of Next Level restaurant, for coming forward over a year ago to try and reignite this because he knew the importance of having this in the city due to competitors next door to us that already have this in place. Ms. Norris also stated that the impact from this would be tremendous for the city, and again thanked Mr. Lowery for coming forward and his thinking ahead of time for not only his business but all the businesses in the city that will benefit from it. Mr. Aja stated, should this pass, that everyone would need to get the word out to our restaurants because they were probably not expecting this to pass so soon, if it does. President Smith then asked Mr. Jones to call the roll and the following vote was recorded:

ORDINANCE NO. 012-23

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

15. APPOINTMENTS

President Smith presented the appointments.

1. Reappoint David McCain to the Lee Russell Council of Governments MPO Citizen Advisory Committee. New Term expires 04-07-2025.

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

16. ADJOURN

The City Council meeting minutes of April 4, 2023 are hereby adopted and approved this the 18th day of April, 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 - Humility, freedom from pride or arrogance: the quality or state of being humble.
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: 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

The council meeting ended at 06:50 pm.