



CITY COUNCIL

MINUTES

300 Martin Luther King Blvd.

May 16, 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, Mr. Allen, Mr. Aja, Mr. Smith, and Mr. Rauch were present. Ms. Norris was absent.

1. George Allen, Erica Norris, Tim Aja, Todd Rauch, Eddie Smith

3. INVOCATION

Mr. Cobb provided the invocation.

1. Daryl Cobb from Mustard Seed Faith Center.

4. PLEDGE OF ALLEGIANCE

Jared and David led the Pledge of Allegiance.

1. Jared Banks and David Smith from Boy Scout Troop 858.

5. READING OF MINUTES

1. Minutes from the 05-02-23 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. 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 April 2023.

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. April 2023 Monthly Building Report.

Mayor Fuller asked Mr. Motley to give the April 2023 monthly building report and Mr. Motley did so.

3. Proclamation Recognizing Billy Edwards.

Mayor Fuller invited Councilman George Allen, Priscilla Blythe, Tipi Miller, and Billy Edwards up front. Mayor Fuller read the proclamation and then asked Ms. Blythe to say a few words about Mr. Edwards. Ms. Blythe stated that Mr. Edwards works hard every day to help keep Opelika beautiful and clean, and that the city needs more people like him. Mayor Fuller then also asked Ms. Miller to say a few words about Mr. Edwards. Ms. Miller stated that she worked with Mr. Edwards for many years and she would always see Mr. Edwards all over the city helping keep the city clean and beautiful. Mayor Fuller then added how blessed the city is to have someone like Mr. Edwards, thanked Mr. Allen for having him come up with the recognition, and presented the proclamation to him. Mayor Fuller then asked Mr. Edwards if he would like to say anything. Mr. Edwards thanked them for the recognition, stated it was a team effort, that Opelika is home to him, and he doesn't mind doing what he can for his home.

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

Oscar Penn of 18 Jeter Avenue spoke first. Mr. Penn, President of the Concerned Citizens of Opelika, stated that they are sick and tired of burying their babies in their neighborhood, and they are doing everything they can to help solve the gun problems and violence going on with their children. Mr. Penn then stated they are not getting support from the city's administration, that he has worked with the National Night Out organization for over 15 years, and he has done everything he could to help with the crime problem and create a new attitude in their neighborhood. Mr. Penn also stated that Mayor Fuller and his office had restricted them of funds that they raised as partners with the City of Opelika, and the city was trying to prevent them from doing things in the Jeter area where most crimes are being committed and where people are hurting the most. Mr. Penn then asked the council to take a stand in the matter because he lives in this area, he sees the children dying there, and they are sick and tired of it.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Downtown Street Closure from Opelika Chamber for Bike Night on 05-18-23.

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

2. Public Hearing - Weed Abatement Assessment - 308 Brannon Ave.
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.
3. Public Hearing - Weed Abatement Assessment - 615 MLK Blvd.
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 - Amend Zoning Ordinance & Map (Pre-Zone): 2700 Block Shelton Mill Road, 46,860 Square Feet, from Annexation 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 pre-zoning. 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. 118-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Purchase - One (1) Sutphen SL75 Heavy Duty 75' Mid-Mount Aerial Ladder Truck with Equipment - HGACBuy Contract #FS12-19 - FD.

RESOLUTION NO. 119-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

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: None

ABSTAIN: None

3. Accept Donation of Property from Eagle Ridge Townhomes Owners Assoc. - ENG.

RESOLUTION NO. 120-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Accept Donation of Property from Hartbrook Opelika, LLC - ENG.

RESOLUTION NO. 121-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, 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 Professional Services Roadway Design for 10th Street and 2nd Avenue Intersection - ENG.

RESOLUTION NO. 122-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

6. Accept Public Infrastructure and Utilities of Various Subdivisions - ENG.

RESOLUTION NO. 123-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

7. Approve Amended and Restated Certificate of Incorporation of the Indian Pines Public Park Authority.

RESOLUTION NO. 124-23

MOTION TO APPROVE: UNANIMOUS

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: None
ABSTAIN: None

8. Approve Amending the Organizational Chart of the Information Technology Department - HR.

RESOLUTION NO. 125-23

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman
 Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

9. Approve Arrangement Letter with Critical Insights Consulting, LLC - ADMIN.

RESOLUTION NO. 126-23

MOTION TO APPROVE: UNANIMOUS

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: None
ABSTAIN: None

10. Approve Bullet Proof Vest Grant Application - OPD.

RESOLUTION NO. 127-23

MOTION TO APPROVE: UNANIMOUS

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
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: None
ABSTAIN: None

11. Approve Certain Tax Abatements and Exemptions for Pharmavite, LLC

RESOLUTION NO. 128-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

12. Approve One Year Contract Extension with Ozark Striping for City-Wide Striping - ENG.

RESOLUTION NO. 129-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

13. Approve One Year Contract Extension with Robinson Paving Company Inc. for Roadway Improvements - ENG.

RESOLUTION NO. 130-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

14. Approve Revocation of Certain Business Licenses - King Food Mart at 823 Crawford Rd - REV.

RESOLUTION NO. 131-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

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: None

ABSTAIN: None

15. Approve Revocation of Certain Business Licenses - Neighborhood Market at 503 Martin Luther King Blvd - REV.

RESOLUTION NO. 132-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

16. Request Refund of Occupational Taxes Paid in Error - Paul West - REV.

RESOLUTION NO. 133-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

17. Weed Abatement Assessment - 308 Brannon Ave.

RESOLUTION NO. 134-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

18. Weed Abatement Assessment - 615 MLK Blvd.

RESOLUTION NO. 135-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

19. Approve Budget for Aquatic Center Capital Improvements at Covington Rec and Opelika Sportsplex.

RESOLUTION NO. 136-23

MOTION TO APPROVE: UNANIMOUS

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: None

ABSTAIN: None

20. Award Bids for Construction of Aquatic Center Capital Improvements at Covington Rec and Opelika Sportsplex.

RESOLUTION NO. 137-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

21. Approve Employment Contract with Lori B. Huguley.

RESOLUTION NO. 138-23

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, 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 the City of Opelika Personnel Policies and Procedures Manual - 2nd Reading.

ORDINANCE NO. 015-23

SECOND READING AND APPROVED: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

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: None

ABSTAIN: None

2. Amend Zoning Ordinance & Map (Pre-Zone): 2700 Block Shelton Mill Road, 46,860 Square Feet, from Annexation to C-2 - 1st Reading.

FIRST READING: INTRODUCED

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

President Smith then asked if there was a motion to suspend the rules to have a second reading. Mr. Allen made a motion to suspend the rules. Mr. Aja seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: UNANIMOUS

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: 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. Mr. Rauch seconded the

motion. There was no discussion and the following vote was recorded:

ORDINANCE NO. 016-23

SECOND READING AND APPROVED: UNANIMOUS

RESULT: **Passed**

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 5 Todd Rauch

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman
Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Approve Annexation Petition by The Infinity Group, LLC - 46,860 Square Feet, 2700 Block Shelton Mill Road - 1st Reading.

FIRST READING: INTRODUCED

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

President Smith then asked if there was a motion to suspend the rules to have a second reading. Mr. Rauch made a motion to suspend the rules. Mr. Aja seconded the motion. The following vote was recorded:

MOTION TO SUSPEND THE RULES: UNANIMOUS

RESULT: **Passed**

MOVER: Councilman Ward 5 Todd Rauch

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: 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. There was no discussion and the following vote was recorded:

ORDINANCE NO. 017-23

SECOND READING AND APPROVED: UNANIMOUS

RESULT: **Passed**

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman
Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Amend Section 16-188 of the City Code of Ordinances: School Zone Speed Limits on Fox Run Pkwy and Waverly Pkwy - 1st Reading.

FIRST READING: INTRODUCED

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

16. ADJOURN

The City Council meeting minutes of May 16, 2023 are hereby adopted and approved this the 6th day of June, 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 - Patience, the capacity to accept or tolerate delay, trouble, or suffering without getting angry or upset.
President Smith asked if there was any other business to come before the council, 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: 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: None

ABSTAIN: None

The council meeting ended at 06:41 pm.