CITY COUNCIL
MINUTES
300 Martin Luther King Blvd.
January 2, 2024
TIME: 6:00 PM

1. A CALL TO ORDER

   President Smith called the council meeting to order at 06:09 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. Cobb provided the invocation.

   1. Daryl Cobb from Mustard Seed Faith Center.

4. PLEDGE OF ALLEGIANCE

   Mr. Jones led the Pledge of Allegiance.

   1. Russell A. Jones, CMC - City Clerk.

5. APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)

   1. Minutes from the 12-19-23 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. MAYOR COMMENTS AND RECOGNITIONS

   1. City's Financial Summary Report for November 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. Rebuild Alabama Funds Report - Scott Parker, City Engineer.

Mayor Fuller asked Mr. Parker to give the report. Mr. Parker gave the report, and it is attached to the minutes.

8. PUBLIC HEARINGS (Limit comments to 3 minutes or less)

9. AGENDA-RELATED PUBLIC COMMENTS (Limit comments to 3 minutes or less)

Philip Preston of 610 Geneva Street spoke first. Mr. Preston, Director of the Arts Association of East Alabama, thanked the City for their continued support for nearly sixty years, and stated that their generosity had never been and would never be taken for granted. Mr. Preston stated some of the history of the Arts Association and its impact on the community, including the City dedicating the north wing of the old library building in honor of the Arts Association and its involvement in saving the old railroad depot in downtown Opelika from demolition. Mr. Preston closed by again thanking the City for their support and stated that they are looking forward to continuing their partnership.

10. GENERAL BUSINESS

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

1. Request Alcohol License - Lemongrass Thai and Sushi 3, LLC dba Lemongrass Thai and Sushi Bar, Restaurant Retail Liquor and Retail Beer on 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

11. AWARDING OF BIDS

President Smith asked Lanorris Jones to present the bids.

1. Three-Phase Pad Mounted Wye-Wye Transformers - OPS.

<u>RESOLUTION NO. 001-24</u>

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. Floral Park Renovations - P&R.

RESOLUTION NO. 002-24

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

12. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

RESOLUTION NO. 003-24

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. Designate City Personal Property Surplus and Authorize Disposal.

RESOLUTION NO. 004-24

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. Purchase - CrowdStrike Falcon Software and Support - Omnia Contract #2018011-01 - IT.

RESOLUTION NO. 005-24

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

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

<u>RESOLUTION NO. 006-24</u>

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

5. Approve Change Order #1 to Resolution #127-21 - OPS.

<u>RESOLUTION NO. 007-24</u>

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 2nd Amendment to Professional Services Agreement with CDG for Thomason Drive Extension Design Project - ENG.

<u>RESOLUTION NO. 008-24</u>

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

7. Approve Construction Engineering and Inspection Services Agreement with CDG for Cunningham Dr. and Frederick Rd. Intersection Improvements Project - ENG.

<u>RESOLUTION NO. 009-24</u>

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

8. Approve Right-of-Way Encroachment License Agreement on Gateway Drive - PLAN.

RESOLUTION NO. 010-24

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. Annual Appropriation Contract FY2024 with Arts Association of East Alabama - (Tabled).

Mr. Gunter explained that the item was on the table, and without a motion to remove it from the table, it would remain there. President Smith asked if there was a motion to remove the item from the table. Mr. Rauch made a motion to remove the item from the table. Ms. Norris seconded the motion.

During discussion, Ms. Norris asked if the concerns of other council members about this had been reviewed and concluded. Mr. Aja stated that the Arts Association still had not explained how they would fulfill certain services to the city that were listed in the contract, and he would not be able to vote for something that would not be able to be executed as written. Mr. Rauch asked Mr. Aja if he would go into more detail about those services. Mr. Aja then went through the specific services listed on the contract and which ones had been confirmed and/or provided and which ones that had not, and again stated the contract as written could not be executed from their explanation of services they provide. Mr. Rauch then stated that communication with the Arts Association had been a problem in the past, and it needed to be fixed. Mr. Rauch continued by stating that the hardest part of this would be, if the council did not approve the contract, what would they do to replace what the Arts Association provides to the community? Mr. Allen then asked if it was voted down, could they come back with an amended contract to be approved? Mr. Jones answered that if the council did not approve removing the item from the table, the item would stay on the table and still be on the next agenda, and then explained that he had not received an amended contract. Mr. Allen asked if the contract could be amended. Mr. Jones answered yes. Mr. Gunter stated that the items on the contract that could not be done could simply be stricken from the contract. Ms. Norris stated that she understood Mr. Aja had done his due diligence on this and had been very thorough and patient, and then asked why there had not been an updated contract received and what President Smith's thoughts were. President Smith then explained that Mr. Aja's points were valid, he reminded everyone that the appropriation comes from the Mayor's budget that was approved by the council, and then stated that he didn't have an issue approving the appropriation and then following up with the Arts Association and what they could provide going forward. Mr. Rauch stated that he would be willing to make a motion to postpone it to the next council meeting and give the Arts Association until then to amend the contract with the services they could provide and made that motion. Mr. Gunter explained the item was on the table, there was already a motion on the floor to remove the item from the table, and if the council voted no to the motion, it would continue to be on the next agenda. Mr. Jones stated he would make sure to get in contact with them about amending the contract before the next meeting. President Smith then reminded the council that the motion on the floor was to remove the item from the table and asked Mr. Jones to call the roll. The following vote to remove the item from the table was recorded:

MOTION TO REMOVE ITEM FROM THE TABLE: 3 TO 2

RESULT:	**Failed**
MOVER:	Councilman Ward 5 Todd Rauch
SECONDER:	Councilwoman Ward 2 - President Pro-Tem Erica Norris
AYES:	Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith
NAYS:	Councilman Ward 1 Allen, Councilman Ward 3 Aja, Councilman Ward 5 Rauch
ABSTAIN:	None

After the roll call vote, Mr. Gunter stated the item would remain on the table and be on the agenda at the next meeting. Mr. Allen stated hopefully with a revised contract. Mr. Jones stated he would follow up with Mr. Preston about the contract. Ms. Norris then asked if they would be able to remove the items of concern and asked if that was the plan. Mr. Jones answered yes. President Smith then explained how the council could vote to approve it as amended. Mr. Gunter stated they would just need to vote to substitute the revised contract.

13. ORDINANCES

14. APPOINTMENTS

15. SECOND ROSTER OF PUBLIC COMMENTS (Limit comments to 3 minutes or less)

None.

16. ADJOURN

The City Council meeting minutes of January 2, 2024 are hereby adopted and approved this the 16th day of January, 2024.

/s/ Eddie Smith

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President of City Council
City of Opelika, Alabama

ATTEST:
/s/ Russell A. Jones, CMC

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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, 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 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

The council meeting ended at 06:41 pm.