



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

February 6, 2024

TIME: 6:00 PM

1. A 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

Mayor Fuller, Mr. Allen, Ms. Norris, Mr. Rauch and President Smith were present. Mr. Aja was absent.

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

3. INVOCATION

Mr. Nolan provided the invocation.

1. Terrance Nolan from The Bridge Church.

4. PLEDGE OF ALLEGIANCE

Samuel and Brayden led the Pledge of Allegiance.

1. Samuel McGinnis and Brayden Jones from West Forest Intermediate School.

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

1. Minutes from the 01-16-24 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. MAYOR COMMENTS AND RECOGNITIONS

1. City's Financial Summary Report for December 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. Recognize OPD Officers with Life Saver Awards.

Mayor Fuller invited Chief Healey, Major Clifton, Lieutenant Converse, Sergeant Krug and Sergeant Stokes up front. Mayor Fuller then asked Chief Healey to explain the details of each officer being recognized. Chief Healey did so and first recognized Officer Nick Salemno with a Life Saver Award. Chief Healey then showed a video showing what happened for the next two officers to be recognized. Officers Keven Quintana and Gabe Densel were then also recognized with Life Saver Awards.

3. 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 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. Mayor Fuller and Dr. Seymore also recognized Opelika Middle School Principal Keith York for being named Alabama Middle School Principal of the Year for the second time.

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

President Smith asked Mr. Jones to present the public hearings.

1. Public Hearing - Demolition - 106 Jeter Avenue.

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.

2. Public Hearing - Demolition - 1113 Lake 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.

9. AGENDA-RELATED PUBLIC COMMENTS (Limit comments to 3 minutes or less)
None.

10. GENERAL BUSINESS

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

1. Request Alcohol License - Tienda El Paraiso, LLC dba Tienda El Paraiso, Retail Beer off 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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Request Downtown Street Closure - Nourish Wellness 5K and 1 Mile Fun Run on 02-24-24.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Request Downtown Street Closure - 2024 Auburn Flyers Bicycle Race Event on 02-25-24.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Request Downtown Street Closure - On Tap Craft Beer Festival on 04-06-24.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

5. Request Downtown Street Closure - Burger Wars on 06-08-24.

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

11. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. Ten (10) 2024 Chevy Tahoes - OPD.

RESOLUTION NO. 019-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

12. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Designate City Personal Property Surplus and Authorize Disposal.

RESOLUTION NO. 020-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Purchase - Two (2) 2023 Ford F150 Super Crew Pickup Trucks - State of AL Contract #T191 - PW.

RESOLUTION NO. 021-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Purchase - Zscaler License and Maintenance - Omnia Contract #2018011-01 - IT.

RESOLUTION NO. 022-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Purchase - Telescope Casual Furniture for Sportsplex - Sole Source - P&R.

RESOLUTION NO. 023-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

5. Approve Certain Tax Abatements and Exemptions for A&P Development, LLC - ED.

RESOLUTION NO. 024-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

6. Approve Certain Tax Abatements and Exemptions for Golden State Foods Corp. - ED.

RESOLUTION NO. 025-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

7. Approve Certain Tax Abatements and Exemptions for Miele Manufacturing, Inc. - ED.

RESOLUTION NO. 026-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

8. Approve Request for Amended Certificate of Incorporation of the Utilities Board of the City of Opelika.

RESOLUTION NO. 027-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

9. Approve Request and Indemnification Agreement for Downtown Bicycle Race on 02-25-24.

RESOLUTION NO. 028-24

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

10. Authorize Execution of a Settlement Agreement with The Advantage of Advertising, LLC.

RESOLUTION NO. 029-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

11. Demolition - 106 Jeter Avenue.

RESOLUTION NO. 030-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

12. Demolition - 1113 Lake Street.

RESOLUTION NO. 031-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

13. Special Appropriation to Opelika City Schools.

During discussion, President Smith recognized William DeShavo for his idea and efforts in getting this done as part of his Eagle Scout Project through the Boy Scouts of America.

RESOLUTION NO. 032-24

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilwoman Ward 2 - President Pro-Tem Erica Norris

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

13. **ORDINANCES**

President Smith asked Mr. Gunter to present the ordinances.

1. Amend Zoning Ordinance & Map: 1018 and 1016 Alabama Avenue, 27,966 square feet, from R-3, GC-P to C-2, GC-P - 2nd Reading.

ORDINANCE NO. 002-24

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

14. **APPOINTMENTS**

President Smith presented the appointments.

1. Reappoint Angela George to the Board of Zoning Adjustments (BZA). New Term expires 02-11-2027.

MOTION TO APPROVE: 3 TO 1

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

2. Reappoint Chris Anthony to the Board of Zoning Adjustments (BZA). New Term expires 02-11-2027.

MOTION TO APPROVE: UNANIMOUS

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

3. Reappoint Wilbert Payne to the Board of Zoning Adjustments (BZA). New Term expires 02-11-2027.

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

15. SECOND ROSTER OF PUBLIC COMMENTS (Limit comments to 3 minutes or less)
None.

16. ADJOURN

The City Council meeting minutes of February 6, 2024 are hereby adopted and approved this the 20th day of February, 2024.

/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 - Leadership, the action of leading a group of people or an organization.

President Smith read the character trait of the month, announced a town hall style meeting in the council chambers on Thursday, February 15, 2024, at 6:00 pm to discuss the potential rezoning of the old Renfro House, asked if there was any other business, 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:	Councilwoman Ward 2 - President Pro-Tem Erica Norris
AYES:	Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS:	None
ABSTAIN:	None

The council meeting ended at 06:39 pm.