CITY COUNCIL
MINUTES

300 Martin Luther King Blvd.

April 2, 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. Lee provided the invocation.

   1. Craig Lee from Oak Hill Church.

4. PLEDGE OF ALLEGIANCE

   Lil and Braxton led the Pledge of Allegiance.

   1. Lil Massey and Braxton Lipscomb from Opelika Middle School.

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

   1. Minutes from the 03-19-24 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

   Mayor Fuller announced the city's community clean-up day on Saturday, April 13, at Courthouse Square.

1. Recognize 20 Under 20 Student Exploratory Program Graduates.

   Mayor Fuller invited Police Chief Healey, Major Clifton, Sergeant Glover, and Fire Chief Boyd up front. Sergeant Glover and Mayor Fuller then recognized each graduate of the program.

2. Recognize OPD & OFD Personnel with Life Saver Awards.

   Mayor Fuller asked Police Chief Healey and Fire Chief Boyd to stay up front for the next presentation. Mayor Fuller then recognized Police Sergeant Wade Foster, Fire Lieutenant Henry Williford, Fire Sergeant Michael Henderson, Fire Medic Tara Bonilla, and Firefighter Kirkland Pugh with the Life Saver Award for their actions in saving the life of a citizen.

   Fire Chief Boyd then introduced Kendall Tamburello from Cardiac Solutions. Ms. Tamburello presented an award to the City of Opelika for their investment in AED devices in all public buildings and first response vehicles that have aided in life-saving situations.

3. Proclamation for Character Week in Opelika.

   Mayor Fuller then asked members of the Opelika Character Council to come up front. Mayor Fuller read a proclamation for Character Week in Opelika and presented it to them.

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

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

1. Public Hearing - Demolition Cost Assessment - 3807 Heritage Place.

   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 cost assessment. 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 Downtown Street Closure - Red Clay Brewing Food Truck Event on 04-11-24.

   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

2. Request Downtown Street Closure - Red Clay Brewing Bike Night Event on 04-18-24.

   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

3. Request Temporary Street Closure - Bent Creek Neighborhood Block Picnic on 04-27-24.

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

11. AWARDING OF BIDS

12. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

RESOLUTION NO. 074-24

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

2. Designate City Personal Property Surplus and Authorize Disposal.

RESOLUTION NO. 075-24

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 - Substation 10 Control Building - Sole Source - OPS.

RESOLUTION NO. 076-24

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

4. Approve 1st Amendment to Project Development Agreement with VAH Investments, LLC - ED.

RESOLUTION NO. 077-24

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 Change Order #1 for Veterans Pkwy and Academy Drive Roundabout Project - ENG.

During discussion, Mr. Rauch asked why the change orders always seemed to be about water. City Engineer Scott Parker answered that the relocation of a fire hydrant was left out as part of a bigger water relocation project that was determined to not be needed, but now it was needed to complete the project. Mr. Rauch asked if this was foreseeable or an oversight. Mr. Parker answered that they knew it was there, but the amount of just the fire hydrant was less than the original water relocation plans that were to be bid. Mr. Rauch asked if they did this, knowing there would be a change order later on. Mr. Parker answered yes, but it was originally part of the design and bid.

RESOLUTION NO. 078-24

MOTION TO APPROVE: 3 TO 1

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

6. Approve Revising the Job Description and Pay Grade for Director of Environmental Services - HR.

During discussion, Mr. Rauch asked for an explanation of the change in code enforcement from the revenue department to environmental services. City Administrator Joey Motley answered that code enforcement used to be one person under building inspections before it expanded and moved to revenue with their enforcement, it had now outgrown its design under revenue, and it would be a better fit under environmental services as the city grows. Mr. Rauch asked who would be doing code enforcement for the revenue department. Mr. Motley answered that, if this was approved, the Revenue Director would take it over until they could come back to council with a request for that specific position, possibly with next year's budget. Mr. Rauch expressed concerns about pulling code enforcement officers off the front lines of revenue enforcement for that period of time.

Ms. Norris then asked if the city had filled Mr. White's position as director after his retirement or if Mr. Stabler's position would be kept after his retirement. Mr. Motley answered that this job was Mr. White's old position, and Mr. Stabler's position being kept would be determined by whomever was hired to fill this position. Ms. Norris then asked about the difference in pay grade salaries being requested. Mr. Motley answered that Mr. White was a contract employee, that this job description had not had a pay grade increase in over ten years, and the request for an increase would fall in line with department head level pay.

RESOLUTION NO. 079-24

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

7. Demolition Cost Assessment - 3807 Heritage Place.

RESOLUTION NO. 080-24

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

8. Special Appropriation to Envision Opelika for the Opelika Character Council.

RESOLUTION NO. 081-24

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

13. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Amend Master Plan for Brookstone PUD: 24.05 Acres, 1001 Fox Run Parkway - 2nd Reading - (Tabled).

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. The following vote was recorded:

MOTION TO REMOVE ITEM FROM THE TABLE: 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

President Smith then asked if there was a motion to approve the ordinance at second reading. Mr. Rauch made a motion to approve the ordinance. Ms. Norris seconded the motion. President Smith asked if there was any discussion.

During discussion, Mr. Rauch stated that even after attending the meeting with the developer and homeowners, his concerns about density were still there and he would still have to vote against its approval.

Ms. Norris then thanked everyone that attended the meeting with the developer and homeowners, stated she was able to follow up with the developer and some of the homeowners, and she believed the developer was able to meet most of the requests from the homeowners during the meeting. Ms. Norris closed by stating that this was how the process was supposed to work for a better outcome for all involved, by coming to them, listening, and resolving their issues.

The following vote was recorded:

ORDINANCE NO. 004-24

SECOND READING AND APPROVED: 3 TO 1

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
NAYS:	Councilman Ward 5 Rauch
ABSTAIN:	None

2. Amend Zoning Ordinance & Map: 414 N. 10th Street, 1.24 Acres, from R-2 to I-1 - 2nd Reading - (Tabled).

Mr. Gunter explained 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. No motion was given.

3. Approve Annexation Petition by Shelly A. Perry and Annie P. Perry, 2.05 Acres, 5400 US Hwy 431 N - 1st Reading.

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

14. APPOINTMENTS

President Smith presented the appointments.

1. Reappoint Jeffery Hilyer to The Water Works Board of the City of Opelika. New Term expires 05-04-2030.

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

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

Linburgh B. Jackson of 814 N. College Street, Auburn, Alabama spoke. Mr. Jackson expressed concerns about Alton Court and its lack of street lighting, signage, and accessibility. Mr. Jackson asked the city to consider making some improvements there.

16. ADJOURN

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

/s/ Eddie Smith

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President of City Council
City of Opelika, Alabama

ATTEST:
/s/ Russell A. Jones, CMC

____
City Clerk

1. Character Trait of the Month - Honesty, fairness and straightforwardness of conduct.

   President Smith read the character trait of the month and asked if there was 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 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

The council meeting ended at 06:38 pm.