



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

December 7, 2021

TIME: 7:00 PM

1. CALL TO ORDER

President Smith called the council meeting to order at 07:00 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, Todd Rauch, Eddie Smith

3. INVOCATION

David Bizilia provided the invocation.

1. David Bizilia from Church at Opelika.

4. PLEDGE OF ALLEGIANCE

Brayden Bryant and Abney Massey led the Pledge of Allegiance.

1. Brayden Bryant and Abney Massey from Northside Intermediate School.

5. READING OF MINUTES

1. Minutes from the 11-16-21 council meeting.

MOTION TO APPROVE: 3 TO 0

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: None

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

6. UNFINISHED BUSINESS

7. REMARKS BY THE MAYOR

Mayor Fuller first reminded everyone about the holiday garbage and recycling pick-up dates around Christmas, and then also announced the Victorian Front Porch and Christmas in a Railroad Town events and their respective dates and times.

1. Recognize Taylor Smith as an Oprah Winfrey Leadership Scholarship Recipient. Mayor Fuller asked Taylor Smith and Dr. Farrell Seymore to join him up front. Mayor Fuller then recognized Taylor Smith, a recent graduate of Opelika High School, as one of only fifteen Oprah Winfrey Leadership Scholarship (OWLS) recipients in the country. Mayor Fuller then asked Dr. Seymore to say a few words about Taylor Smith. Dr. Seymore stated that Taylor Smith is a great student, a great person, and comes from a great family, is well deserving of the scholarship and recognition, and Opelika High School is very proud of him. Taylor Smith then spoke about his journey to Howard University in Washington D.C. and how honored he was to receive this scholarship. Mayor Fuller then invited Taylor's family up front to take a picture.
2. 2021 Firefighter of the Year Award. Mayor Fuller then asked Opelika Fire Chief Shane Boyd and Deputy Chief Stephen Fields up front. Mayor Fuller then invited the three nominees for Firefighter of the Year, Kevin Swatts, Taylor Mitcham, and Captain Noah Allmond, up front and read their nomination letters before presenting the award to the winner, Captain Noah Allmond. Deputy Chief Fields then stated that they are fortunate to be in a situation where it is an actual challenge to select the Firefighter of the Year because of what a great job each of these nominees do, and how they are lucky to have them.
3. Pickleball Presentation. Mayor Fuller then invited Jim Young, President of the Opelika Pickleball Club, and Sam Bailey, Director of Parks & Recreation, to come up front. Mr. Bailey then thanked the City of Opelika and the City Council for their support of Pickleball and its facilities, and then handed out Pickleball shirts to each council member. Mr. Young also thanked the Mayor and City Council for their support and vision for Pickleball and stated that, because of them, Opelika is truly a Pickleball destination, averaging over 2,000 players a month, with many of those players being from out of town. Mr. Young then gave some statistics of the economic impact Pickleball is having on the community, including a projected amount of over \$2 million for the year 2022. Mr. Young then presented a check to the City of Opelika in the amount of \$60,000 as a token of their appreciation. Mayor Fuller then closed by thanking Mr. Young for what they do for the community.

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

Evelyn Mickle of 1003 Glenn Street spoke first. Ms. Mickle stated that she loves Opelika, how it is a small town, and how she is now concerned about the new library and how much traffic it has brought to her street. Ms. Mickle then stated that she cannot walk her dog, or sometimes even back out of her driveway because of the traffic, and requested a speed sign or speed bumps on Glenn Street to slow some of the traffic down. Ms. Mickle also stated some of her neighbors have complained about the so-called privacy fence that is supposed to block out

the lights from the library, but it does not do nearly enough. Ms. Mickle then stated there are also issues with the contractors not cleaning up all of the junk they cut down during construction of the library, and now there is flooding happening in the neighborhood when there is heavy rain, including a house that is having foundation problems, and she would like this to be addressed. Ms. Mickle also requested that the city grade the area back behind the old Brown School where the tennis courts used to be, and pave it, because right now it floods when there is heavy rain. After 5 minutes had passed, President Smith then stated that Ms. Mickle's time was up, but she could speak to him directly after the meeting if she wanted to.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Temporary Street Closure - First Baptist Church Annual Live Nativity on 12-15-21.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Public Hearing - Weed Abatement Assessment- 2512 Cunningham Drive.
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.

12. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. Pickleball Courts Facility II - P&R.

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

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Expense Reports from Various Departments.

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 & Authorize Disposal.

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. Purchase - Software Maintenance for the Evidence Library - Sole Source - PD.

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. Purchase - Sulzer Non-Clog Submersible Pump - Sole Source - PW.

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

5. Purchase - Itron Metering Products - Sole Source - OPS.

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

6. Purchase - Dome Cover for the Pickleball Courts - Sourcewell Contract #071619-MSL - P&R.

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

7. Purchase - Google Software - Omnia Contract #2018011-01 - IT.

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. Purchase - Cisco Refresh Software and Cameras for PW and FD - Omnia Contract #2018011-011 - IT.

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

9. Accept Proposal from Custom Engineering Solutions for Professional Engineering Services - OPS.

President Smith asked what the proposal was for. Mr. Gunter answered it was not a certain sum but based on hourly rates and reimbursement of

costs. President Smith then asked for a motion for approval.

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

10. Appoint Kisha Abercrombie to Serve as an Assistant Municipal Prosecutor - MC. During discussion, Ms. Norris asked if Ms. Abercrombie was present. Mr. Gunter answered "no". Ms. Norris then asked if they knew Ms. Abercrombie, President Smith answered yes and asked Mr. Gunter to state her credentials. Mr. Gunter stated Ms. Abercrombie is a partner in a local law firm, Walton Law Firm, but before she went to work for that law firm in 2017, she served for fourteen years as a professional prosecutor in Tallapoosa, Chambers, and Lee County. Mr. Gunter also stated that Ms. Abercrombie also served for eight years as the Chief Assistant Deputy Prosecutor for Lee County, and in that position she prosecuted most of the high-profile cases in Lee County, including capital murder, robbery, sexual assault, and domestic violence, so she is very well qualified to hold this position and he couldn't think of anyone else that would have better qualifications in Lee County to serve the City of Opelika. Ms. Norris stated that Mr. Gunter's seal of approval meant a lot to her for her to make her decision, thanked him for his explanation, and then thanked President Smith. President Smith then asked Mr. Jones to call the roll.

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. Approve MOU with Child Care Resource Center, Inc. - MC.

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

12. Authorize Agreement with the Alabama Department of Conservation and Natural Resources for an Archery Park at Springvilla Park - P&R.

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

13. Authorize Contract for Accounting and Administrative Services with the Library Board - LIB.

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

14. Authorize Engagement Letter with Lanier Ford Shaver & Payne, P.C. for Professional Services - ADMIN.

During discussion, Ms. Norris asked if we are engaging with legal council because there has been a lawsuit filed against the city because of the rental ordinance. Mr. Gunter answered that it was a threatened lawsuit. Ms. Norris then asked if this was just protecting the city in case, and Mr. Gunter answered yes. After Ms. Norris thanked Mr. Gunter, President Smith asked Mr. Jones to

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

15. Reprogram Unused PY2020 CDBG Funds - CD.

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

16. Request for Approval of a Special Use Permit with AT&T at 4499 North Park Drive.

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

17. Weed Abatement Assessment - 2512 Cunningham Drive.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

18. Annual Appropriation Contract FY2022 with Art Haus.

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

19. Annual Appropriation Contract FY2022 with Christian Care Ministries.

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

20. Annual Appropriation Contract FY2022 with Lee County Literacy Coalition.

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

21. Special Appropriation to the Domestic Violence Intervention Center.

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

22. Special Appropriation to the Dream Day Foundation.

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

23. Appoint Election Officials for Ward 3 Special Election on January 11, 2022.

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

24. Approve Contract Extension with SDAC for ADA Improvements Project - ENG.

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

25. Approve Industrial Access Road Funding Agreement with ALDOT for Project Crown - ENG.

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

26. Special Appropriation to Opelika Police Department from Ward 1 Reserve Fund.

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

14. ORDINANCES

15. APPOINTMENTS

16. ADJOURN

The City Council meeting minutes of December 7, 2021 are hereby adopted and approved this the 21st day of December, 2021.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones

City Clerk

1. Character Trait of the Month - Benevolence, the quality of being well meaning; kindness.

President Smith read the character trait of the month and asked if there was any other business to come before the council. Ms. Norris asked President Smith if she could make an announcement and President Smith said yes. Ms. Norris announced that on Saturday December 11 from 9 am to 4 pm, the Sweet Home Made Alabama Holiday show at the Art Haus would be taking place, invited everyone to attend, and thanked President Smith.

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 7:44 pm.