



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

June 18, 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

The Mayor and all City Council members were present.

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

3. INVOCATION

Mr. Cohen provided the invocation.

1. Ben Cohen from First Baptist Church Opelika.

4. PLEDGE OF ALLEGIANCE

William and Stephen led the Pledge of Allegiance.

1. William Deshazo and Stephen Williams from Boy Scout Troop 858.

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

1. Minutes from the 06-04-24 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. May 2024 Monthly Building Report.

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

2. Recognize Character Council Citizen of Excellent Character.
Mayor Fuller then asked Ward 1 Councilman George Allen, members of the Character Council, and Mr. Aaron Bushey up front to be recognized as the June 2024 Citizen of Excellent Character. Mr. Allen spoke about why he chose Mr. Aaron Bushey for the award and how he exemplified the character trait of the month: Cooperation.
3. Recognize Michael Swanson as Middle School Track National Champion.
Mayor Fuller then invited Michael "Mikey" Swanson, his parents Michael and Shawna, and his track coach, Dustin Ferguson, up front. Mayor Fuller recognized Mikey for his accomplishments in track and presented him with a gift bag from the city.
4. Recognize Opelika Diamond Youth Baseball 7U All Stars as State Champions.
Mayor Fuller invited the Opelika Diamond Youth Baseball 7U All Star team coaches up front first. Head coach Jesse Edwards explained what all the team had accomplished and that they would be competing in the World Series for their age group. Coach Edwards then called each team member up individually and Mayor Fuller presented each of them with a gift bag from the city. The team then presented Mayor Fuller with a signed baseball from the state championship game.

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

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

1. Public Hearing - Weed Abatement Assessment - 15 Dover 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 weed abatement. No one came forward to speak. President Smith closed the public hearing.
2. Public Hearing - Weed Abatement Assessment - 2102 S Long 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 weed abatement. 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 by P&R for a Fireworks and Pyrotechnics Display Permit on 07-03-24.

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

2. Request Downtown Street Closure - Red Clay Brewing Food Truck Event on 07-25-24.

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 3 Aja, 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. 147-24

MOTION TO APPROVE: 4 TO 0

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: Councilwoman Ward 2 - President Pro-Tem Erica Norris

2. Designate City Personal Property Surplus and Authorize Disposal.

RESOLUTION NO. 148-24

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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Approve Amending Resolution 068-24 to Authorize Payment of Annual Subscription Fees to Leaf Capital Funding, LLC - IT.

RESOLUTION NO. 149-24

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

4. Approve Amending the Pay Range for Pay Grade 18 and Reclassifying Certain Jobs - HR.

RESOLUTION NO. 150-24

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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

5. Approve Sidewalk Use License Agreement with SMBEASY, LLC for Construction of a Wrap-Around Balcony - PLAN.

RESOLUTION NO. 151-24

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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

6. Approve Temporary Construction Easement Agreement with East Alabama Health Care Authority - ADMIN.

RESOLUTION NO. 152-24

MOTION TO APPROVE: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

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

7. Demolition - 401 N 16th Place - (Tabled).

Mr. Gunter explained that the item was on the table, and it was the recommendation of the administration to remove the item from the table and the agenda.

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. Mr. Allen seconded

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

MOTION TO REMOVE ITEM FROM THE TABLE: 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

President Smith then asked if there was a motion to remove the item from the agenda. Mr. Rauch made a motion to remove the item from the agenda. Ms. Norris seconded the motion. There was no discussion and the following vote was recorded:

MOTION TO REMOVE ITEM FROM THE AGENDA: 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 3 Aja, Councilman Ward 4 -
President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

8. Weed Abatement Assessment - 15 Dover Street.

RESOLUTION NO. 153-24

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 3 Aja, Councilman Ward 4 -
President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

9. Weed Abatement Assesment - 2102 S Long Street.

RESOLUTION NO. 154-24

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

10. Special Appropriation to Opelika Parks & Recreation for DYB 7U All Star Team.

Mr. Gunter presented the resolution and the proposed amendment to the resolution that was discussed during the work session.

President Smith asked if there was a motion to approve the resolution. Ms. Norris made a motion to approve the resolution. Mr. Aja seconded the motion.

During discussion, Mr. Rauch made a motion to amend the resolution as presented by Mr. Gunter. Mr. Aja seconded the motion to amend the resolution.

There was no discussion and the following vote was recorded:

MOTION TO AMEND THE RESOLUTION: 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

President Smith then asked if there was a motion to approve the resolution as amended. Ms. Norris made a motion to approve the resolution as amended. Mr. Rauch seconded the motion.

During discussion, Ms. Norris thanked the council for amending the resolution.

The following vote was recorded:

RESOLUTION NO. 155-24

MOTION TO APPROVE AS AMENDED: 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

13. **ORDINANCES**

President Smith asked Mr. Gunter to present the ordinances.

1. Repeal Section 22-5 of the City Code of Ordinances: Ending Funeral Escort Services - 2nd Reading - (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. No motion was given.

2. Amend Zoning Ordinance: Section 7.3C District Regulations Use Categories for the Institutional District (I-1) - 2nd Reading.

President Smith asked if there was a motion to approve the ordinance at second reading. Mr. Aja made a motion to approve. Mr. Rauch seconded the motion.

President Smith asked if there was any discussion about the motion to approve. During discussion, Mr. Allen made a motion to table the ordinance. Ms. Norris seconded the motion to table. President Smith asked if there was any discussion about the motion to table.

During discussion, it was explained that this ordinance would not affect the

Renfro House in question and that this ordinance would actually give the Planning Commission more authority with conditional use approvals in the institutional districts. Mr. Rauch stated that this ordinance actually addresses some of the concerns stated by citizens during the Renfro House discussions by requiring conditional use approval from the Planning Commission, and then thanked City Planner Matt Mosley for taking the initiative to present these changes based on the concerns of the citizens.

After this explanation, Mr. Allen made a motion to withdraw his motion to table. Ms. Norris seconded the motion to withdraw. The following vote was recorded:

MOTION TO WITHDRAW MOTION TO TABLE: 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 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. Aja seconded the motion. There was no discussion and the following vote was recorded:

ORDINANCE NO. 007-24

SECOND READING AND APPROVED: 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

3. Approve Annexation Petition by Antione Harvis, 48 Acres, 2051 AL Highway 169 - 2nd Reading.

ORDINANCE NO. 008-24

SECOND READING AND APPROVED: UNANIMOUS

RESULT: Passed
MOVER: Councilman Ward 3 Tim Aja
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

4. Approve Temporary Suspension of Time-In-Grade and Minimum Required Service Years for Promotions within the Opelika Fire Department - 1st Reading.

FIRST READING: INTRODUCED

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

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

MOTION TO SUSPEND THE RULES: UNANIMOUS

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja

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

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. 009-24

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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

14. **APPOINTMENTS**

President Smith presented the appointments.

1. Appoint Micah Melnick to the Board of Zoning Adjustments (BZA). Existing Term expires 02-11-2025.

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

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

QuenDesmond Kellum of 413 Fair Street spoke first. Mr. Kellum stated he was speaking on behalf of the neglected and underserved residents of Ward 2. Mr. Kellum then stated that the reprehensible actions of a city employee using a public platform to shame and denigrate planners and attendees of the recent Alumni Day event in Ward 2 should not be ignored. Mr. Kellum stated that this

type of behavior is divisive, prejudiced, and it had no place in our society. Mr. Kellum also stated that it was disheartening to note that the concerns and requests of the Ward 2 community have consistently fallen on deaf ears, such as the absence of speed bumps near the Opelika Learning Center, lack of adequate lighting at the basketball courts, the dilapidated state of the restrooms, the scarcity of trash receptacles, and woeful condition of the concession stand all at Bandy Park. Mr. Kellum continued that these are just a few examples of neglect in their neighborhood, the residents of Ward 2 have been overlooked and ignored for far too long, and they demand accountability, transparency, and action. Mr. Kellum stated we should work together to create a city where inclusivity, equity, and justice are not just empty promises but tangible realities. Mr. Kellum stated that the Alumni Day event has been non-violent since its inception and has welcomed participants from all walks of life, and being held in Ward 2 since its creation, the event has fostered a sense of community and togetherness that transcends race or background. Mr. Kellum also stated that to attempt to portray such an event in a negative light was not only divisive and tactless, but downright despicable. Mr. Kellum closed by asking the city council to heed their voices and take decisive action to rectify the injustices that have been allowed to fester for far too long, as the residents of Ward 2 stand united in their resolve to hold their city accountable and demand the representation and respect they rightfully deserve.

16. ADJOURN

The City Council meeting minutes of June 18, 2024 are hereby adopted and approved this the 2nd day of July, 2024.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones, MMC

City Clerk

1. Character Trait of the Month - Cooperation, the process of working together to the same end.
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: 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

The council meeting ended at 06:45 pm.

