



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

July 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

The Mayor and all City Council members were present.

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

3. INVOCATION

Mr. Tippet provided the invocation.

1. Tom Tippet from Christian Care Ministries.

4. PLEDGE OF ALLEGIANCE

Jacob, Jackson and Jared led the Pledge of Allegiance.

1. Jacob Kennedy, Jackson Monk, and Jared Banks from Boy Scout Troop 858.

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

1. Minutes from the 06-18-24 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 May 2024.

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 Olivia Battle from Opelika Middle School.

Mayor Fuller invited Olivia Battle, her parents Montre and Jessica Battle, her coach Alex Crowley, and Matt Battles up front. Mayor Fuller recognized Olivia for all her gymnastics accomplishments, including competing at the USA Gymnastics National Championships in Minneapolis, Minnesota.

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

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

City Clerk Russell A. Jones, MMC read a letter submitted to his office by Pastor Clifford E. Jones of Greater Peace Missionary Baptist Church and on behalf of the Lee County Ministers Alliance. The letter requested that the police escort services continue to be provided in the City of Opelika and is attached in full to the minutes.

10. GENERAL BUSINESS

11. AWARDING OF BIDS

President Smith asked Lanorris Jones to present the bids.

1. North 8th Street and 1st Ave. Sidewalk Upgrades - ENG.

RESOLUTION NO. 156-24

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

2. Blackhawk Drive Culvert Replacement - ENG.

RESOLUTION NO. 157-24

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. 158-24

MOTION TO APPROVE: 4 TO 0

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 3 Tim Aja

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. Purchase - (624) Toter 96 Gal. EVR II Carts - Sourcewell Contract #041521-TOT - OES.

RESOLUTION NO. 159-24

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

3. Approve Pole Attachment License Agreement with CTV-Beam - OPS.

RESOLUTION NO. 160-24

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. Approve Settlement Agreement with Electric Cities of Georgia - OPS.

RESOLUTION NO. 161-24

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

5. Repeal Cemetery Monument Sitting Fee by Amending Resolution 081-23 - ADMIN.

RESOLUTION NO. 162-24

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

6. Special Appropriation to AO Tourism for Hosting AJGA Golf Tournament at Grand National.

RESOLUTION NO. 163-24

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

7. Special Appropriation to Greater Peace Community Development Corporation.

RESOLUTION NO. 164-24

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

8. Special Appropriation to Opelika Parks & Rec for DYB 10U All Star Team. During discussion, Ms. Norris thanked the council for allowing this to be approved in support of these Parks & Rec teams.

RESOLUTION NO. 165-24

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

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).

President Smith asked if there was a motion to remove the item from the table.

Mr. Aja made a motion to remove the item from the table. Mr. Rauch 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 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 presented a proposed amendment to the start date of the ordinance from July 1, 2024, to October 1, 2024, and asked if there was a motion to amend the ordinance as presented. Mr. Rauch made a motion to amend the ordinance as presented. Mr. Aja seconded the motion. There was no discussion and the following vote was recorded:

MOTION TO AMEND THE ORDINANCE: 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 ordinance as amended at second reading. Mr. Aja made a motion to approve as amended. Mr. Rauch seconded the motion.

During discussion, Ms. Norris stated that she was still torn between the concerns of Pastor Jones and the Lee County Ministers Alliance and the understanding of the constraints placed on the Opelika Police Department in providing these services. Ms. Norris then stated that she hoped the council would continue to work towards a middle ground solution that would allow these services to resume and possibly look at providing more services to the police department. Mr. Allen also asked that they continue to look toward other alternatives to being able to provide these services in the future if the ordinance was approved. President Smith closed by stating that there had been further discussion with Pastor Jones, he had acknowledged the situation, and even though he doesn't endorse it, he does understand it. President Smith then asked Mr. Jones to call the roll and the following vote was recorded:

ORDINANCE NO. 010-24

SECOND READING AND APPROVED AS AMENDED: 3 TO 1

RESULT: Passed

MOVER: Councilman Ward 3 Tim Aja
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 3 Aja, Councilman Ward 4 - President Smith,
Councilman Ward 5 Rauch
NAYS: Councilwoman Ward 2 - President Pro-Tem Norris
ABSTAIN: Councilman Ward 1 Willie Allen

2. Amend the City Code of Ordinances: Section 2-147 - Procurement and Awarding of Contracts - 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

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

Mattie Clark of 706 Orchard Avenue spoke first. Ms. Clark stated concerns about a neighboring house and the brick wall at the corner of Auburn Street and Orchard Avenue. Ms. Clark stated she did not know who owned the house in question because it had animals living in it, it was a nuisance, and asked why it had not been condemned or torn down. Ms. Clark provided pictures to the council previously and asked that they consider doing something about it.

Geoff Slater of 1600 Frederick Road spoke next. Mr. Slater stated that he lived near Botanic and voiced his concerns about violation of the city's noise ordinance during the restaurants' recent "Battle of the Bands" event. Mr. Slater played a recording of the music and stated it could be heard from within his home, which is more than 500 feet from Botanic's property. Mr. Slater stated that he had called about the noise and was told there was nothing that could be done. Mr. Slater closed by stating that it surely cannot be permissible to have no legal remedy for these violations of the city's current noise ordinance.

16. ADJOURN

The City Council meeting minutes of July 2, 2024 are hereby adopted and approved this the 16th 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 - Truthfulness, the fact of being realistic or true to life; realism
President Smith read the character trait of the month and 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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

The council meeting ended at 06:28 pm.