



OPELIKA CITY COUNCIL
“ SPECIAL MEETING MINUTES “
300 Martin Luther King Blvd.
December 11, 2020
TIME: 2:00 PM

I. Call to Order

President Smith called the special meeting to order at 2:00 pm.

II. Roll Call

Mr. Allen, Ms. Norris, Mr. Smith, and Mr. Rauch were all physically present. Dr. Lofton was present by teleconference.

1. George Allen, Erica Norris, Robert Lofton, Todd Rauch, Eddie Smith

III. Resolutions

After some confusion and discussion about the resolution the council was voting on, the below vote was recorded.

1. Resolution 321-20 Resolution Relating to Grievance Filed by David Davis.

RESULT:	APPROVED [3 TO 2]
MOVER:	Todd Rauch, Council Member
SECONDER:	Robert Lofton, Council Member
AYES:	Robert Lofton, Eddie Smith, Todd Rauch
NAYS:	Willie Allen, Erica Norris

IV. Adjourn

The City Council meeting minutes of December 1, 2020 are hereby adopted and approved this the 15th day of December, 2020.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones

Russell A. Jones

City Clerk

1. Motion to Adjourn.
The special meeting ended at 2:06 pm.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Todd Rauch, Council Member
SECONDER: Erica Norris, President Pro-Tem
AYES: Allen, Norris, Lofton, Smith, Rauch

RESOLUTION NO. 321-20

Resolution Relating to Grievance Filed by David Davis.

RESOLUTION NO. _____

RESOLUTION RELATING TO GRIEVANCE FILED BY DAVID DAVIS

WHEREAS, David Davis has been employed by the City of Opelika as a regular status classified employee in the Fire Department; and

WHEREAS, the City of Opelika, Alabama (the “City”) has adopted policies and procedures to establish guidelines for personnel actions within the City; and

WHEREAS, the City’s grievance procedure provides a standard process for speedy investigation and resolution of employee grievances and/or appeal of certain disciplinary actions; and

WHEREAS, acceptable reasons for grievance include termination of employment, demotion, suspension without pay or final written warning; and

WHEREAS, the final step to resolve a grievance is to appeal to the City Council; and

WHEREAS, David Davis heretofore appealed to the City Council from the disciplinary action taken by the Administration to terminate his employment; and

WHEREAS, on December 1, 2020, and continuing into December 2, 2020, in executive session, the City Council conducted a hearing on the grievance filed by David Davis; and

WHEREAS, all evidence presented in the grievance hearing has been thoroughly evaluated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Opelika, Alabama, as follows:

1. That the City Council finds and determines that David Davis is guilty of violating subparagraphs (c) Conduct Unbecoming an Employee and (hh) Workplace Violence of Section 8.2.1 of the Personnel Policies and Procedures Manual.
2. That the City Council denies the employee's grievance and orders that Mr. Davis be dismissed from the City's service effective on November 6, 2020.
3. That the Decision Upon Hearing by the City Council, a copy of which is on file with the City Clerk, is hereby approved.
4. That the decision of the City Council will be final and binding on all parties.
5. That the Human Resources Director shall immediately cause a copy of the decision of the City Council to be delivered to David Davis.
6. That this Resolution shall take effect upon its passage and adoption by the City Council.

ADOPTED AND APPROVED this the ____ day of _____, 2020.

PRESIDENT OF THE CITY COUNCIL
OF THE CITY OF OPELIKA

ATTEST:

CITY CLERK