



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

October 5, 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, Robert Lofton, Todd Rauch, Eddie Smith

3. INVOCATION

Mr. Washington provided the invocation.

1. Larry Washington.

4. PLEDGE OF ALLEGIANCE

Gavyn Wilbon and Addyson Frizzell led the Pledge of Allegiance.

1. Gavyn Wilbon and Addyson Frizzell from West Forest Intermediate School.

5. READING OF MINUTES

1. Minutes from the 09-21-21 Council Meeting.

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

6. UNFINISHED BUSINESS

7. REMARKS BY THE MAYOR

Mayor Fuller first announced the launch of Connect Opelika on the city's website, which will allow citizens to communicate immediately with city employees if they have any questions, want to report any issues, send messages to city staff, and/or sign up for text message alerts.

1. Recognize Opelika High School Student Will Randolph as a National Merit Scholarship Semifinalist.

Mayor Fuller asked Dr. Mark Neighbors, Superintendant, Dr. Farrell Seymore, Principal, Tipi Miller, School Board Member, and Will Randolph to all come up front. Mayor Fuller then recognized and congratulated Will Randolph as an Alabama National Merit Scholarship Semifinalist. Dr. Seymore then listed his many accomplishments as a student and also recognized what a great person, as well as student, that Will is.

2. Recognize Barbara Arrington for an Atta Girl Award.

Mayor Fuller then asked Barbara Arrington, Joey Motley, Stephen Dawe, Matt Mosley, Lee McInnis, Leigh Krehling, Shane Healey and Russell Jones to all come up front. Mayor Fuller then recognized Mrs. Arrington with a sustained superior performance award as she was nominated by a fellow employee, Donna K. Smith, for going above and beyond her normal duties to help other departments in the city.

8. CITIZEN COMMUNICATIONS (Limit comments to five minutes or less)
None.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request from Opelika Main Street for the Annual Snopelika Event on 11-30-21.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Request from Opelika Main Street for the Annual Christmas Parade on 12-04-21.

RESULT: Passed

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

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Public Hearing - Weed Abatement Assessment - 1109 Alton Court.
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. Mr. Steve Ward spoke and asked a question regarding why this property was being abated now and had not been in the past, and that since Frederick Road was redeveloped the city had been cutting the right of way in question until he received this abatement letter. Mr. Ward explained that the city continues to cut in all the areas around his property but again asked why, all of a sudden, the city stopped cutting the right of way in question. President Smith asked Mr. Ward to speak with the City Administrator before leaving and also asked if Mr. Ward received a phone call from Mrs. Arrington. Mr. Ward stated he did not receive a phone call. President Smith stated that he gave Mrs. Arrington Mr. Ward's phone number because the city was trying to contact him. President Smith assured Mr. Ward they did try to contact him and also that the council would deal with this issue later in the agenda. President Smith closed the public hearing.
4. Public Hearing - Weed Abatement Assessment - 308 Brannon Ave.
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.
5. Public Hearing - Weed Abatement Assessment - 120 Chester Ave.
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.
6. Public Hearing - Weed Abatement Assessment - 1709 Frederick Rd.
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.
7. Public Hearing - Weed Abatement Assessment - 1302 Rocky Brook Rd.
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

13. RESOLUTIONS

President Smith asked Mr. Gunter to present the resolutions.

1. Designate City Personal Property as Surplus & Authorize Disposal.
During Discussion, Mr. Rauch asked what a K-9 Buddy is. Mr. Gunter stated he did not know. Police Chief Shane Healey answered that it was a Police Dog.
RESULT: Passed
MOVER: Councilman Ward 3 Robert Lofton
SECONDER: Councilman Ward 1 Willie Allen
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
2. Purchase - One (1) 2022 Ford Explorer - State Contract #T191 - REV.
During Discussion, Ms. Norris asked which department would be utilizing the vehicle. Mr. Gunter and Mr. Jones both answered the Revenue department.
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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
3. Purchase - Meraki Security Hardware and Software - NATL IPA CONTR #2018011-01 - IT.
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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
4. Purchase - Two (2) 2022 Nissan Frontiers - Sourcewell Contract #120716-NAF - INSP.
RESULT: Passed
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
5. Purchase - Seven (7) 2021 Chevrolet Silverado 1500 Trucks - State Contract #T191L - PD.

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 Lofton, Councilman Ward
 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

6. Purchase - Seven (7) 2022 Chevrolet Tahoes - State Contract #T191L - PD.

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 3 Lofton, Councilman Ward
 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

7. Purchase - One (1) 2023 Peterson Knuckle Boom - Sourcewell Contract
#040621-P11 - OES.

RESULT: **Passed**
MOVER: Councilman Ward 3 Robert Lofton
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward
 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

8. Purchase - One (1) 2023 Heil Automated Side Loader - Sourcewell Contract
#091219-THC - OES.

RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President
 Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward
 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

9. Approve 3 Year Agreement with CDW Government, LLC - IT.

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 3 Lofton, Councilman Ward
 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None

ABSTAIN: None

10. Approve Contract with the Lee County Humane Society for Animal Shelter Services.

RESULT: Passed

MOVER: Councilman Ward 3 Robert Lofton

SECONDER: Councilman Ward 1 Willie Allen

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

11. Authorize Fireworks Display by First Baptist Church Opelika on 10-31-21.

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

NAYS: None

ABSTAIN: None

12. Grant Application to ADECA for Recreational Trails Program with Creekline Trails of Opelika.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

13. Weed Abatement Assessment - 1109 Alton Court.

MOTION TO TABLE:

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

TABLED

14. Weed Abatement Assessment - 308 Brannon Ave.

RESULT: Passed

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

15. Weed Abatement Assessment - 120 Chester Ave.

RESULT: **Passed**
MOVER: Councilwoman Ward 2 - President Pro-Tem Erica Norris
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

16. Weed Abatement Assessment - 1709 Frederick Rd.

RESULT: **Passed**
MOVER: Councilman Ward 1 Willie Allen
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

17. Weed Abatement Assessment - 1302 Rocky Brook Rd.

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 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

18. Annual Appropriation Contract FY2022 with Alabama Cooperative Extension System.

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

19. Annual Appropriation Contract FY2022 with American Red Cross - East Alabama Chapter.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

20. Annual Appropriation Contract FY2022 with Circles Opelika.

RESULT: **Passed**
MOVER: Councilman Ward 3 Robert Lofton
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

21. Annual Appropriation Contract FY2022 with Domestic Violence Intervention Center (DVIC).

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

22. Annual Appropriation Contract FY2022 with East Alabama Services for the Elderly, Inc. (EASE).

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

23. Annual Appropriation Contract FY2022 with Keep Opelika Beautiful, Inc. (KOB).

RESULT: **Passed**
MOVER: Councilman Ward 3 Robert Lofton
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None

ABSTAIN: None

24. Annual Appropriation Contract FY2022 with Lee County Youth Development Center (LCYDC).

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith

NAYS: None

ABSTAIN: Councilman Ward 5 Todd Rauch

25. Annual Appropriation Contract FY2022 with Opelika Chamber of Commerce.

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 Lofton, Councilman Ward 4 - President Smith

NAYS: None

ABSTAIN: Councilman Ward 5 Todd Rauch

26. Annual Appropriation Contract FY2022 with Opelika Downtown Redevelopment Authority.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

27. Annual Appropriation Contract FY2022 with Opelika Industrial Development Authority.

RESULT: Passed

MOVER: Councilman Ward 1 Willie Allen

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

28. Annual Appropriation Contract FY2022 with Storybook Farm.

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 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

29. Annual Appropriation Contract FY2022 with The Museum of East Alabama.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

30. Special Appropriation to 3D Youth Development Academy, Inc.

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 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

31. Special Appropriation to the Chattahoochee Council, Boy Scouts of America.

RESULT: **Passed**
MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: Councilwoman Ward 2 - President Pro-Tem Norris
ABSTAIN: None

32. Special Appropriation to the Sound Wall Music Initiative for the 2nd Annual Songwriters Festival.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

33. Approve Agreement with ALDOT for the Transportation Alternative Program (TAP) Grant for a Bike/Ped Path Along Waverly Parkway - ENG.

RESULT: **Passed**

MOVER: Councilman Ward 5 Todd Rauch
SECONDER: Councilman Ward 3 Robert Lofton
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

14. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Approve Franchise Agreement with Knology of Alabama, Inc. - 1st Reading.

FIRST READING - INTRODUCED

President Smith asked for a member of the council to introduce the ordinance. Mr. Rauch introduced the ordinance.

15. APPOINTMENTS

President Smith presented the appointments.

1. Reappoint Dr. Cathy Long to the Library Board. New Term expires 10-19-2025.

RESULT: Passed
MOVER: Councilman Ward 3 Robert Lofton
SECONDER: Councilman Ward 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

2. Reappoint Shirley Carter to the Library Board. New Term expires 10-19-2025.

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 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

16. ADJOURN

The City Council meeting minutes of October 5, 2021 are hereby adopted and approved this the 19th day of October, 2021.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones

Russell A. Jones
City Clerk

1. Character Trait of the Month - Respect, a feeling of deep admiration for someone or something elicited by their abilities, qualities, or achievements.
President Smith asked if there was any other business to come before the council and Ms. Norris asked President Smith if she could speak as requested. President Smith answered yes. Ms. Norris began by asking for an opportunity to speak to the council about the Comprehensive 2040 Plan and the Carver/Jeter Plan. Ms. Norris then asked if the Carver/Jeter Plan was being incorporated into the Comprehensive 2040 Plan, and then stated the reason she is asking is because she and Mr. Allen met with the City Administrator back in June about items associated with the Carver/Jeter Plan possibly being included in the new budget. Ms. Norris then stated that the council, with four new members, did not even have a work session to discuss the budget before it was put forward for a vote. Ms. Norris also stated that she did sit down with Cindy Boyd and Jon Hayes with the city's Accounting department, and was appreciative of their time explaining the budget to her, but she believes the council missed an opportunity to discuss the budget amongst themselves. Ms. Norris continued by stating there was no allocation for the Carver/Jeter Plan in the budget, and would like to know why and asked President Smith of the status of the plan. President Smith answered that to his knowledge there is no Carver/Jeter Plan. Ms. Norris then asked President Smith if he knew what happened to the plan. President Smith answered he did not know. Ms. Norris then asked who she could ask about the status of the plan. President Smith answered that she could talk to Mr. Motley about it. Ms. Norris then asked about the city's Occupational Tax and if the council could discuss whether that tax should still be charged to the employees who work in Opelika. President Smith answered that he was not prepared to talk about it then, but asked if the tax is removed where does the city replace the funds generated. Ms. Norris asked what the money is currently being used for. President Smith replied that the Occupational Tax generates about 12 million dollars a year to the General Fund which funds a large portion of the budget, and if they have a discussion about removing those funds they should be prepared to also discuss what is going to be cut from the budget or how to replace those funds in the budget. Ms. Norris replied that it would be a worthy discussion due to being able to utilize American Rescue Plan money, and there needs to be feedback from everyone on how to move forward but that has not been done as there has not been an opportunity to do so in any work sessions. President Smith stated he took exception with two things Ms. Norris stated: first is that the CARES Act money will not be a repetitive thing to replace the Occupational Tax, and if used, those funds would be a one-time shot and not recurring; second is an implication that he had not properly led the meetings to give an opportunity to have a conversation on that. Ms. Norris replied that it was not her intention to imply that, but there are four new council members and she would like to have those discussions if possible. Ms. Norris then agreed with President Smith that the CARES Act money is not an ongoing item but it was her understanding that there are other taxes coming into the city that could be looked at as well and she would like to be able to ask those types of questions and have those discussions

as a body. President Smith again stated he took exception with two more things Ms. Norris stated; first is that the city has to have a balanced budget by law and if the Occupational Tax dollars are removed then they have to figure out what to cut out of the budget that the city is already paying for; second is that there was no opportunity to discuss any of this. President Smith then stated that he personally sent her an email asking about the Occupational Tax questions she had and what she would want to do and there was no response. Ms. Norris stated she did not receive that email or recall receiving that email but did receive an email from Cindy Boyd answering her questions and then stated "I'm sorry that you take exception with the fact that I'm asking questions." President Smith replied "No. I never said that." Ms. Norris then stated that this does not have to be an argument and that she has asked for several opportunities to be a part of discussions and she has been denied including the Comprehensive 2040 Plan and the rental ordinance discussion and was told "No". Ms. Norris then asked that if she is not allowed to have those discussions along with everyone else, then she has to ask them out front even though she would rather ask them as a body with the council. President Smith then asked Ms. Norris about stating that she was denied opportunities to be a part of the rental ordinance discussion and others, and "Who made those denials?". Ms. Norris answered that she is not saying President Smith made the denials, Mayor Fuller made them. President Smith asked her to continue. Ms. Norris then stated she was finished but wanted to follow up about the Carver/Jeter Plan, if President Smith would like to put together something where the council could discuss the budget she would be present, and then some other items to talk about in the future as they develop. Dr. Lofton asked President Smith if the council was asked if there was any discussion before voting. President Smith answered yes. Dr. Lofton stated that would be the time for the council to discuss or ask questions before the vote, and the Occupational Tax would not be able to be cut from the budget without something to replace it with. Ms. Norris replied that if they went back and listened to it, it was not asked to have any discussion and it was ended very abruptly, and if she was wrong about that, then she apologizes in advance, but that still would not be an appropriate time, per President Smith, to have an all out discussion about all the items in the budget. Ms. Norris then stated that cities and counties usually have a work session before voting on the budget, and there was still another meeting available to have more time to discuss the budget before voting during the first meeting in September. President Smith then asked Mr. Jones to provide a snippet of the minutes where the council voted on the budget. Mr. Jones agreed and stated that the budget was presented during the work session of the second meeting in August and voted on during the first meeting in September for reference. President Smith replied that he would like to make sure that there was an opportunity for discussion. Ms. Norris then stated that the work session of the second meeting in August, when the budget was presented, was the same meeting that was started early by President Smith, and everyone was present at that time except her, even though she did arrive before the meeting was scheduled to start. Mr. Gunter then explained what the Occupational Tax is and how it is used by the city, and how it is one of the four major taxes the city receives and the rate of Occupational Tax is set by the council. Mr. Gunter also explained that if the Occupational Tax was eliminated from the budget, the city would have to either reduce services to the citizens or increase other taxes to have a balanced budget. Ms. Norris then thanked Mr. Gunter for that information as it provided more clarity on that issue, and Ms. Norris also thanked President Smith for the time to speak as well. Ms. Norris closed by announcing a Ward 2 meeting at the

new Opelika Public Library on October 30 from 9:00 am to 11:00 am and invited everyone to attend. President Smith then closed by asking if anyone on the council has a question, or wants to discuss any issue prior to a meeting, that a phone call or request to get together with city administration would suffice, and also his two jobs as President of the council are to set the agenda and run the meeting, and he has a real problem with setting an agenda and not knowing the specific items requested and what those items are about, and not having a response to his questions about them beforehand. Ms. Norris responded by stating that President Smith must not be referring to her, when President Smith interrupted and asked for a motion to adjourn.

2. Motion to Adjourn

RESULT: **Passed**

MOVER: Councilman Ward 5 Todd Rauch

SECONDER: Councilman Ward 3 Robert Lofton

AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 3 Lofton, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

The meeting ended at 7:54 pm.