



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

May 3, 2022

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, Tim Aja, Todd Rauch, Eddie Smith

3. INVOCATION

Mr. Tippet provided the invocation.

1. Tom Tippet from Christian Care Ministries.

4. PLEDGE OF ALLEGIANCE

Mr. Banks led the Pledge of Allegiance.

1. Jared Banks from Boy Scout Troop 858.

5. READING OF MINUTES

1. Minutes from the 04-19-22 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. Allen made a motion to approve. Mr. Rauch 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. REMARKS BY THE MAYOR

Mayor Fuller first invited everyone to join in celebrating Russell Jones, Opelika City Clerk, during the annual Professional Municipal Clerk's week and thanked

him for his service to the City of Opelika. Mayor Fuller then announced that the council would consider tax abatements and exemptions for several Hyundai Motor Manufacturing Alabama suppliers that will start manufacturing parts for new Hyundai electric vehicle parts in Opelika.

1. Proclamation for May 2022 as "ALS Awareness Month".
Mayor Fuller invited Councilman Todd Rauch and Lela Lofton up front. Mayor Fuller then read the proclamation and presented it to Mrs. Lofton.
2. Proclamation for May 2022 as "Bike Month".
Mayor Fuller next invited Shirley Lazenby, Scott Parker, and others up front. Mayor Fuller then read the proclamation and presented it to them.
3. Proclamation Recognizing Dr. Mark Neighbors.
Mayor Fuller next invited Dr. Mark Neighbors and his wife, Terri, up front. Mayor Fuller then read the proclamation and presented it to them. President Smith then recognized Tipi Miller for her service to Keep Opelika Beautiful and announced that she would be taking over as director of United Way of Lee County, and then wished her the best and thanked her for the job she did with Keep Opelika Beautiful.

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

Billy Allen of 930 Redan Trace, Stone Mountain, Georgia spoke first. Mr. Allen stated he was there to speak about three things. Mr. Allen first thanked the city and Matt Mosley for arranging and conducting the redistricting workshops in each ward of the city. Secondly, Mr. Allen stated he believed the workshops were beneficial for providing citizen involvement and open dialogue about redistricting. Lastly, Mr. Allen requested open dialogue and citizen participation in the redistricting process continue throughout the entire process.

Elizabeth Burton of 1416 Elm Street spoke next. Ms. Burton read a letter to the mayor and council concerning property she previously owned at 2703 Pineknoll Street. Ms. Burton requested the letter be added to the minutes. See attached. After reading and submitting the letter to the City Clerk, Ms. Burton gathered her things as if she was done speaking, but then went back to the podium to speak on another matter. President Smith stated that Ms. Burton could not speak twice and told her that she could come back to another meeting if she would like to speak again.

Joyce Newland of 1708 Oak Bowery Road spoke next. Ms. Newland first spoke about how special Opelika is and how it has been fortunate enough to have great leadership over the years to provide great services to the citizens and their children. Ms. Newland then stated that over the years she has become complacent, thinking that everything is running smoothly because of these successes. Ms. Newland stated that Planning Commission and City Council meetings should be attended by citizens, agendas should be made readily available, and the language used in the meetings should be made to understand by everyone. Ms. Newland closed by emphasizing that the council should be listening to its citizens, and that transparency and citizen input does matter in relation to building projects in Opelika.

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 (Updated) for "Grillin on the Tracks" Event on 08-27-22.

President Smith asked for a motion to approve. Mr. Allen made a motion to approve. Mr. Rauch seconded the motion. During discussion, Mr. Aja stated that after the last downtown event, the council received some notes from some concerned downtown merchants about not being consulted about street closures that were affecting their businesses. Mr. Aja then stated that it would be prudent of them, before re-approving this street closure, by changing the date, to make sure Opelika Main Street is communicating with these merchants and they are good with the proposed closure. President Smith asked Mr. Aja if it was his recommendation to table this item until they have made sure Main Street has spoken with them about the closure. Mr. Aja answered yes. Mr. Allen then asked about the previously approved date and if they decided to use that date, if they could still do that. Mr. Jones and Mr. Aja both answered yes they could. Mr. Aja stated this is a good opportunity to make sure they are all communicating before approving their updated request. Mr. Rauch stated there was plenty of time for this as well. President Smith asked if Mr. Aja wished to table this and withdraw the approval from the last meeting. Mr. Allen answered that they could table this current request, but they could not withdraw the previous approval. President Smith asked if Mr. Aja would make a motion to table the agenda item. Mr. Aja stated yes and made a motion to table the agenda item. Ms. Norris seconded the motion. President Smith asked if there was any discussion. Mr. Gunter stated there is no discussion on a motion to table an agenda item. The following vote was recorded:

MOTION TO TABLE AGENDA ITEM: 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

12. AWARDING OF BIDS

President Smith asked Ms. Finley to present the bids.

1. City-Wide Striping Project 22015 - ENG.

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. General Roadway Improvements Project 22014 - ENG.

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

3. City-Wide Asphalt Paving Project 22013 - 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 3 Aja, 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: Councilwoman Ward 2 - President Pro-Tem Erica Norris

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

2. Designate City Property Surplus & Authorize Disposal.

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

3. Emergency Repairs - I-85 Exits 62 and 66.

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

4. Purchase - (624) Toter 96 Gallon EVR II Universal/Nestable Carts - Sourcewell Contract #041521-TOT - OES.

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

5. Annual Authorization to Levy Tax on Property within Opelika.

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

6. Annual MWPP Reports for East and West Sewer Treatment Plants - PW.

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. Approve 1st Amendment to Project Agreement between City of Opelika, OIDA, and Hanwha Cimmaron, LLC - ED.

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

8. Approve Certain Tax Abatements and Exemptions for Cumberland Plastic Systems, LLC - ED.

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

9. Approve Certain Tax Abatements and Exemptions for Hyundai Motor Manufacturing Alabama, LLC/Cumberland - ED.

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

10. Approve Certain Tax Abatements and Exemptions for Hyundai Motor Manufacturing Alabama, LLC/Daewon - ED.

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

11. Approve Certain Tax Abatements and Exemptions for Hyundai Motor Manufacturing Alabama, LLC/Hanwha - ED.

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

12. Approve Extension of Tax Abatement of Sales and Use Tax for Yongsan Automotive U.S.A., Inc. - ED.

During discussion, Ms. Norris asked if Mr. Gunter stated the year 2020. Mr. Gunter answered yes. Ms. Norris then asked if he meant 2022. Mr. Gunter then stated yes, it should be 2022. President Smith asked if there needed to be a motion to amend for a change. Mr. Jones and Mr. Aja both answered that it was just read wrong. President Smith then asked if there was further discussion before asking Mr. Jones to call the roll. The following vote was recorded:

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

13. Approve (Revised) Railroad Agreement for Crossing Improvements on Anderson Road - ENG.

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

14. Authorize Non-Participant Services Contract with Electric Cities of Georgia, Inc. - 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 3 Aja, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

15. Contract with Casey Chambley dba Chambley's Display Fireworks.
During discussion, Mr. Aja asked Mr. Jones if the typo in the contract had been updated from one thousand dollars of insurance to one million dollars. Mr. Jones stated he would be receiving it tomorrow and make sure the typo had been corrected before having the Mayor sign it and send an updated copy of it.

MOTION TO APPROVE: 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

16. Five (5) ADECA Grant Applications.

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

17. Request for Approval of a Special Use Permit with AT&T at 1981 Airport Road.

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

18. Request for Approval of a Special Use Permit with AT&T at 1051 Douglas Street.

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

14. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Amend the Code of Ordinances by Changing the Time of the Regular Meetings and Work Sessions of the City Council - 2nd Reading.

During discussion, Ms. Norris stated that she is all for this, but believes this should be done before the term of council members begins so the people running for office know the expectations of the position, so as to it not interfering with their jobs.

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

2. Approve Annexation Petition by William B. Lowe, Jr. and Mary Susan Haines - 31 Acres, Lafayette Pkwy - 2nd Reading.

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 and Adopt a Plan for Redistricting the Council Districts of the City of Opelika - 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 Eric Canada to the Opelika Utilities Board. New Term ends 05-04-2028.

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

16. ADJOURN

The City Council meeting minutes of May 3, 2022 are hereby adopted and approved this the 17th day of May, 2022.

/s/ Erica Norris

President Pro-Tem of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones, CMC

City Clerk

1. Character Trait of the Month - Patience, the capacity to accept or tolerate delay, trouble, or suffering without getting angry or upset.
President Smith read the character trait of the month and asked if there was any other business to come before the council.
2. Motion to Adjourn.

MOTION TO ADJOURN: 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

The council meeting ended at 07:48 pm.