



CITY COUNCIL MINUTES

300 Martin Luther King Blvd.

June 21, 2022

TIME: 6:00 PM

1. CALL TO ORDER

President Smith called the council meeting to order at 06:01 pm and asked Mr. Jones to call the roll.

2. ROLL CALL

Mayor Fuller, George Allen, Erica Norris, Eddie Smith, and Todd Rauch were present. Tim Aja was absent.

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

3. INVOCATION

President Smith provided the invocation.

1. Eddie Smith - President of the City Council

4. PLEDGE OF ALLEGIANCE

Jared Banks and Jacob Banks led the Pledge of Allegiance.

1. Jared Banks and Jacob Banks from Boy Scout Troop 858.

5. READING OF MINUTES

1. Minutes from the 06-07-21 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. REMARKS BY THE MAYOR

1. City's Financial Summary Report for May 2022.
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. May 2022 Monthly Building Report.
Mayor Fuller, in the absence of Mr. Motley, gave the monthly building report himself.
3. Attagirl Award for Allison Duke.
Mayor Fuller invited Police Chief Shane Healey, Captain Tony Amerson, Captain Johnathan Clifton, Sergeant James Daniel, and Allison Duke up front. Chief Healey then spoke about the job that Ms. Duke does for the Police Department and read a statement about why she was awarded the Meritorious Service Award from the Opelika Police Department. Mayor Fuller then also presented Ms. Duke with a small token of appreciation and thanked her for her service to the city.
4. Recognize Peterson and Williams Funeral Home.
Mayor Fuller invited Mr. Thomas Peterson III up front. Ali Rauch of the Opelika Chamber also joined the Mayor and Mr. Peterson III up front. Mayor Fuller then read a proclamation and presented it to Mr. Peterson III. Ms. Rauch also presented an award to Mr. Peterson III, on behalf of the Opelika Chamber of Commerce Board of Directors and members, celebrating their 100 years of service to the city. Mr. Peterson III then thanked the city, the families they have served, and the employees they have had over the last 100 years. President Smith also stated on behalf of the council how proud they are of Peterson Williams Funeral Home and what a great accomplishment that is.

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

Joyce Newland of 1708 Oak Bowery Road spoke first. Ms. Newland stated that she would like to correct a possible impression she may have given after reading the minutes of the previous council meeting. Ms. Newland then stated that she is not denying that the property owners have a right to use or build upon their property as long as it's within the rules and codes of the regulations established by the city. Ms. Newland stated that what and why she was speaking is in opposition to the design and architecture of the proposed building, and that is the main point of contentiousness. Ms. Newland also stated that the architectural rendering that is being passed around, while cutting on costs for the builder, is still not in the City of Opelika design of downtown. Ms. Newland then asked if the builder truly has a declared interest in our city and citizen designers, then they should render a drawing that will reflect more of a gateway that represents the way to downtown visually, and that also represents what most folks consider and reflect in their desires. Ms. Newland closed by stating the citizens depend upon transparency of the city, for the City Council to act within the wishes of the citizens who have taken time to voice their opinions, and asked for more information about Hera, LLC. President Smith asked for Ms. Newland to speak with him after the meeting, and he would explain more about Hera, LLC.

9. REPORT OF DISBURSEMENTS

10. COMMITTEE REPORTS

11. GENERAL BUSINESS

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

1. Request Alcohol License - Heritage House Lodging and Events dba Heritage House Opelika LLC, Special Retail - More Than 30 Days License.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

2. Request from Opelika Main Street for On the Tracks Event on 10-21-22.
During discussion, Mr. Rauch asked if this was for the event or for the street closure. Mr. Jones answered street closure. Mr. Rauch then asked if they had received any input from the businesses or at least let them know about this. President Smith answered that this event is held annually or twice a year. Mr. Jones stated that it is only held on the South Railroad section between 8th and 9th Streets. Mr. Allen then asked if it would not interfere with any businesses. President Smith answered that the businesses in that section participate in the event. Mr. Jones confirmed that the businesses participate and that it is an annual event. Mr. Allen stated that there had been a complaint before. Mr. Jones answered that the complaint was from a different section of downtown. President Smith asked if there were any other questions before asking Mr. Jones to call the roll.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

3. Request from Opelika Main Street for Christmas in a Railroad Town Event on 12-09-22.
During discussion, Mr. Rauch asked "same question, different item". President Smith answered that this is also an annual event that has been going on for several years, and so all of the downtown merchants are aware of it. Mr. Rauch thanked President Smith. President Smith asked if there were any other questions before asking Mr. Jones to call the roll.

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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

4. Public Hearing - Project Development Agreement with VAH Investments, LLC.
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 project development agreement. No one came forward to speak. President Smith closed the public hearing.
5. Public Hearing - Demolition - 1204 Spring Drive.
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 demolition. Kenneth Bell stated he was the owner of the property and his intention was to sell the property. Mr. Bell then asked the council what he could do to have a little bit more time, that he would keep the grass mowed, and he knows that it has been a little over a year since the property has been damaged, but he does intend to sell it or demolish it himself and pay the taxes on the land. President Smith asked Mayor Fuller for help answering the question of more time. Mayor Fuller asked Mr. Bell to give Mr. Jones his name, address, and phone number, he would personally call Mr. Bell the following day and discuss ways to give him some additional time, including purchasing a building permit to make sure he is working to save the structure. Mr. Bell thanked the Mayor and gave Mr. Jones his contact information. President Smith closed the public hearing.
6. Public Hearing - Weed Abatement Assessment - 414 Avenue A.
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 - 206 Byrd 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.
8. Public Hearing - Weed Abatement Assessment - 1109 Magnolia 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.

12. AWARDING OF BIDS

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 5 Todd Rauch
AYES: Councilman Ward 1 Allen, Councilwoman Ward 2 - President Pro-Tem Norris, Councilman Ward 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
2. Designate City Personal Property Surplus and Authorize Disposal.
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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
3. Purchase - Three (3) Treadmills - Sole Source - P&R.
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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
4. Approve Certain Tax Abatements and Exemptions for Golden State Foods Corp - 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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None
5. Approve Project Development Agreement with VAH Investments, LLC - ED.
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 4 - President Smith, Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

6. Demolition - 1204 Spring Drive.

During discussion, Mr. Allen asked if they should consider tabling the item at the request of more time from the owner. Mayor Fuller then asked the council to treat this like some others they have done in the past by going ahead and passing the resolution, and he would work with the property owner by giving them the time they needed, but also make sure they continue to work on the property. President Smith stated that is how they have handled them in the past. Mr. Allen agreed. President Smith asked if there were any other questions before asking Mr. Jones to call the roll.

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

7. Weed Abatement Assessment - 414 Avenue A.

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

8. Weed Abatement Assessment - 206 Byrd Ave.

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

9. Weed Abatement Assessment - 1109 Magnolia Street.

MOTION TO APPROVE: 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 4 - President Smith,
 Councilman Ward 5 Rauch
NAYS: None
ABSTAIN: None

14. ORDINANCES

President Smith asked Mr. Gunter to present the ordinances.

1. Approve and Adopt a Plan for Redistricting the Council Districts of the City of Opelika - 2nd Reading - (Tabled).
President Smith asked for a motion to remove the item from the table. No motion was given. President Smith then stated, without a motion, the item would remain on the table.
2. Amend Text of Zoning Ordinance: Section 7.3C "Uses", Duplex is Conditional Use in R-4, R-4M Mausoleums, Columbariums, Crematoriums are CU in GC-P and GC-S - 2nd Reading.

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

3. Amend Text of Zoning Ordinance: Section 7.3A District Regulations, and Section 7.7 "Downtown Residential Living", and Section 7.3C Use Categories (matrix table) - 1st Reading.

FIRST READING: INTRODUCED

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

15. APPOINTMENTS

16. ADJOURN

The City Council meeting minutes of June 21, 2022 are hereby adopted and approved this the 5th day of July, 2022.

/s/ Eddie Smith

President of City Council
City of Opelika, Alabama

ATTEST:

/s/ Russell A. Jones, CMC

City Clerk

1. Character Trait of the Month - Empathy, the ability to understand and share the feelings of another.
President Smith asked if there was any other business to come before the council, and then read the character trait of the month before asking for a motion to adjourn.
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 4 - President Smith, Councilman Ward 5 Rauch

NAYS: None

ABSTAIN: None

The council meeting ended at 06:37 pm.