The City Council of the City of Auburn, Alabama met in regular session on Tuesday, October 15, 2013 at 7:08 PM in the Council Chamber of the Auburn Public Safety Building at 141 North Ross Street.

1. **CALL TO ORDER**. Mayor Bill Ham, Jr.

Mayor Ham called the meeting to order.

2. **ROLL CALL**.

Present: Councilpersons Ron Anders, Jr., Brent Beard, Arthur L. Dowdell, Sr., Gene Dulaney, Robin Kelley, Bob Norman, Dick Phelan, Tom Worden, and Mayor Bill Ham, Jr. Also present was City Manager Charles M. Duggan, Jr.
Absent: None.

3. **PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**.

Mayor Ham invited all present to stand and join the Council in reciting the Pledge of Allegiance to the U.S. Flag and in observing a moment of silence after the Pledge.

4. **MINUTES**.

a. October 1, 2013. Adjourned Meeting.

Councilperson Beard moved that the minutes be approved.
Councilperson Worden seconded the motion and all members voted aye.
Mayor Ham declared the minutes approved.

b. October 1, 2013.

Councilperson Dowdell moved that the minutes be approved.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the minutes approved.

5. **MAYOR'S COMMUNICATIONS.** Mayor Ham.

a. Committee of the Whole.

Mayor Ham stated that at the Committee of the Whole meeting previously held the City Council approved the minutes from the October 1, 2013 Committee of the Whole meeting, discussed a no–parking zone at 604 Edgewood Drive, and made a nomination to the Industrial Development Board.

b. Announcements.

None.

6. **AUBURN UNIVERSITY COMMUNICATIONS.**

SGA Director of City Relations Savannah Silver thanked the Council for approving the street closings for the Homecoming Parade. She noted that the Capitol on the Plains event was a big success and thanked Mayor Ham for his attendance. She also said students have growing concerns about how the government shutdown might affect their financial aid and other funding provided by the federal government.

7. **CITIZENS' COMMUNICATIONS**.

Mr. Zachary Schaeffer, 2428 East University Drive, Unit 1802, addressed the Council with concerns about the funding needs of the Auburn City Schools.

8. **CITY MANAGER'S COMMUNICATIONS**. City Manager Duggan.

a. Announcement of Board Vacancies. Appointments made November 19, 2013.

(1) Parks and Recreation Advisory Board. Two (2) Vacancies. Terms Expire November 30, 2017.

City Manager Duggan announced two vacancies on the Parks and Recreation Advisory Board that will be appointed at the November 30, 2013 City Council Meeting.

(2) Metropolitan Planning Organization – Citizens Advisory Committee. One (1) Vacancy. Unexpired Term Ends March 8, 2017.

City Manager Duggan announced one vacancy on the Metropolitan Planning Organization – Citizens Advisory Committee that will be appointed at the November 19, 2013 City Council Meeting.

b. Alcoholic Beverage License. Green Pig, LLC d/b/a Green Pig. 020 – Restaurant Retail Liquor alcoholic beverage license. 1655 – E South College Street.

City Manager Duggan said that Green Pig, LLC d/b/a Green Pig is seeking approval for a 020 – Restaurant Retail Beer Liquor alcoholic beverage license.

Councilperson Phelan moved that the request be granted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the motion carried.

9. **ORDINANCES**.

a. Annexation. Dennis Franklin and Randy Franklin. Property located east of South College Street and south of Mt. Vernon Baptist Church. Approximately 2.27 acres.

City Manager Duggan said this ordinance annexes 2.27 acres located east of South College Street and south of Mt. Vernon Baptist Church. He noted that this is the second reading because the item was denied unanimous consent at the last meeting.

Councilperson Beard moved to table the ordinance until the January 7, 2014 City Council Meeting.
Councilperson Dowdell seconded the motion.
Mayor Ham declared the motion carried.

10. **RESOLUTIONS**.

a. Downtown AUtumn Nights. Auburn Chamber of Commerce, Auburn University Athletics Department, and Auburn Downtown Merchants Association. Close City Streets. October 25, 2013.

City Manager Duggan said this resolution authorizes the closing of city streets for the Downtown AUtumn Nights event on October 25, 2013.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Beard seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-243

b. Concurrence. Industrial Development Board. Seohan Auto USA Corporation. 2590 Innovation Dr. Auburn Technology Park West – Lot 19.

City Manager Duggan said this resolution is for concurrence with a proposed package of incentives to be provided by the Industrial Development Board to Seohan Auto USA Corporation.

Councilperson Beard moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-244

10. **RESOLUTIONS (cont)**.

c. Conditional Use Approvals. Planning Commission Recommendations. Public Hearings Required.

(1) R. G. Hill. Joseph Vick (Authorized Representative). Property Located at 465 Opelika Road. Expansion of Road Service Use (Oly's Automotive Expansion) in the Redevelopment District (RDD) zoning district.

City Manager Duggan said this resolution requests amended conditional use approval for the expansion of an existing road service use (Oly's Automotive Expansion) in the Redevelopment District (RDD) zoning district. He noted that a public hearing was required.

Mayor Ham opened the public hearing.

There being no comments from the audience, Mayor Ham closed the public hearing.

Councilperson Beard asked if the owner had resolved the issues that previously existed. Planning Director Forrest Cotten stated the owner is in compliance.

Councilperson Dowdell asked if there will be a new paved area added to the back of the property.

Mr. Cotten answered affirmatively.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Kelley seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-245

(2) Urban Development, LLC. Sean Foote (Authorized Representative). Property Located along Easton Court in the East Lake Subdivision. Performance Residential Development (East Lake Twin Homes) in the Limited Development District (LDD) zoning district.

City Manager Duggan said this resolution requests conditional use approval for a performance residential development (East Lake Twin Homes) in the Limited Development District (LDD) zoning district. He noted that a public hearing was required.

Mayor Ham opened the public hearing.

10. **RESOLUTIONS (cont)**.

There being no comments from the audience, Mayor Ham closed the public hearing.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Anders seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-246

(3) Tucker Brown. Parker Lewis (Authorized Representative). Property Located at 305 North Donahue Drive. Road Service Use (J.J.'s Corner Store) in the Redevelopment District (RDD) zoning district.

City Manager Duggan said this resolution requests conditional use approval for a road service use (J.J.'s Corner Store) in the Redevelopment District (RDD) zoning district. He noted that a public hearing was required.

Mayor Ham opened the public hearing.

There being no comments from the audience, Mayor Ham closed the public hearing.

Councilperson Kelley asked how many times something has been approved for this location.

Planning Director Forrest Cotten said the property has about a 10 – year history and the current plan is almost identical to the one that recently expired.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-247

d. Contracts and Agreements. Authorize Mayor and City Manager to Sign.

(1) Bradley Plumbing & Heating, Inc. Demolition Services and Wall Construction. Development Services Building Renovations Project Phase 2. $49,750.

10. **RESOLUTIONS (cont)**.

City Manager Duggan said this resolution authorizes the City Manager to execute a contract with Bradley Plumbing & Heating, Inc. for the Development Services Building Renovations Project Phase 2 in the amount of $49,750.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-248

(2) SDF, LLC. Widening of Wire Road. Memorandum of Agreement.

City Manager Duggan said this resolution authorizes the City Manager to execute a Memorandum of Agreement with SDF, LLC for constructing the widening of Wire Road.

Councilperson Phelan asked where the widening of Wire Road will occur.
City Manager Duggan said it will be widened at the new Dollar General store.

Councilperson Beard moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-249

(3) Whatley Construction, LLC. Frank Brown Recreation Center Racquetball Court Renovations Project. $334,211.

City Manager Duggan said this resolution authorizes the City Manager to execute a contract with Whatley Construction, LLC for the Frank Brown Recreation Center Racquetball Court Renovations Project in the amount of $334,211.

Councilperson Anders asked what kinds of renovations are being done.
City Manager Duggan explained that the old racquetball courts are being turned into fitness rooms because a new racquetball court was added during the renovations to Frank Brown Recreation Center.

10. **RESOLUTIONS (cont)**.

Councilperson Worden moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-250

e. Various Drainage and Utility, and Sidewalk Easements. Max Credit Union. Property Located at 336 North Gay Street.

City Manager Duggan said this resolution accepts various drainage and utility and sidewalk easements from Max Credit Union.

Councilperson Beard moved that the resolution be adopted.
Councilperson Anders seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-251

f. Board Appointment. Industrial Development Board. One (1) Vacancy. Term Ends October 9, 2019.

City Manager Duggan said this resolution appoints Laura Cooper to the Industrial Development Board for a term of office beginning immediately and ending October 9, 2019.

Councilperson Anders moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLUTION NO. 13-252

11. **OTHER BUSINESS**.

None.

12. **ADJOURNMENT**.

Councilperson Dowdell moved that the meeting be adjourned.
Councilperson Phelan seconded the motion and all members voted aye.
The meeting was adjourned at 7:28 PM.

_____
Mayor

ATTEST:

_____
City Manager