The City Council of the City of Auburn, Alabama met in regular session on Tuesday, December 4, 2012 at 7:00 PM in the Council Chamber of the Auburn Public Safety Building at 141 North Ross Street.

1. **CALL TO ORDER**. Mayor Pro Tem Phelan

Mayor Pro Tem Phelan called the meeting to order.

2. **ROLL CALL**.

Present: Councilpersons Ron Anders, Brent Beard, Gene Dulaney, Robin Kelley, Bob Norman, and Mayor Pro Tem Dick Phelan. Also present was City Manager Charles M. Duggan, Jr.

Absent: Councilpersons Arthur L. Dowdell, Sr., Tom Worden and Mayor Bill Ham, Jr.

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

Mayor Pro Tem Phelan 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**. November 20, 2012.

Councilperson Kelley moved that the minutes be approved.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the minutes approved.

5. **MAYOR'S COMMUNICATIONS**. Mayor Pro Tem Phelan.

a. Employee of the Month.
Cheryl Van Tuyl.
Finance Department.

Mayor Pro Tem Phelan read a memorandum from Revenue Manager LaTrice Mose to Finance Director Penny Smith nominating Cheryl Van Tuyl as Employee of the Month for December 2012 for her outstanding performance as a Revenue Officer in the Finance Department. (A copy of the entire memorandum is attached to the minutes).

5. **MAYOR'S COMMUNICATIONS (cont).**

Mayor Pro Tem Phelan presented Cheryl with a framed Employee of the Month certificate and a small gift from the Council. He thanked her for her service to the citizens of this community and for her hard work and dedication to the City of Auburn.

b. Service Pins and Plaques.

(1) Five (5) Years.
Public Safety Department – Police Division.

(a) Greg Kloepper.

(b) Andrew Mims.

Mayor Pro Tem Phelan presented five (5) year service pins to Greg Kloepper and Andrew Mims of the Public Safety Department – Police Division.

(2) Ten (10) Years.
Eric Moore.
Environmental Services Department – ROW Maint. Division.

Mayor Pro Tem Phelan presented ten (10) year service pin to Eric Moore of the Environmental Services Department – ROW Maintenance Division.

(3) Fifteen (15) Years.
Mariele Fischer.
Economic Development Department.

Mayor Pro Tem Phelan presented a fifteen (15) year service pin to Mariele Fischer of the Economic Development Department.

(4) Twenty (20) Years. Plaque.
Derek Godfrey.
Water Resource Management Department.

Mr. Derek Godfrey was unable to be present. His twenty year service pin and commemorative plaque will be presented to him by his department head at a later date.

5. **MAYOR'S COMMUNICATIONS (cont).**

(3) Twenty-five (25) Years. Plaque.
James Tatum.
Public Safety Department – Police Division.

Mayor Pro Tem Phelan presented a twenty-five year service pin and commemorative plaque to James Tatum of the Public Safety Department – Police Division.

Mayor Pro Tem Phelan thanked all employees for their dedicated service to the citizens of Auburn.

c. Employee Recognition. Public Works Department. Tyler Kreps. Certified Floodplain Manager (CFM). Association of State Floodplain Managers (ASFPM). Achievement Award.

Mayor Pro Tem Phelan presented Mapping Specialist Tyler Kreps with an Achievement Award upon the attainment of the certification needed to meet the requirements of Certified Floodplain Manager (CFM) a designation of the Association of State Floodplain Managers, Inc. (ASFPM).

d. Committee of the Whole.

Mayor Pro Tem Phelan stated that at the Committee of the Whole meeting previously held, the City Council approved the minutes from the previous Committee of the Whole meeting. The Committee recommended the appointment of Brad Wilson to the Water Works Board and John Whittenburg to the Public Park and Recreation Board. He noted that the appointments will be made at the proper time on the regular agenda.

e. Announcements.

None.

6. **AUBURN UNIVERSITY COMMUNICATIONS**.

SGA Director of City Relations Clay Phillips was not in attendance.

7. **CITIZENS' COMMUNICATIONS.**

None.

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

a. Announcement of Board Vacancies. Two Vacancies. Board of Zoning Adjustment. Three Year Terms Expire January 20, 2016. Appointments at the January 8, 2013 meeting.

City Manager Duggan announced that two vacancies will exist on the Board of Zoning Adjustment. He noted that the three year terms will expire on January 20, 2016. He noted that the appointments will be on the January 8, 2013 agenda.

9. **ORDINANCES.**

a. Traffic Control Signs and Devices. Establish "No Parking" Zones. 528, 808 and 832 West Glenn Avenue. Unanimous Consent Necessary.

City Manager Duggan stated this Ordinance establishes "No Parking" zones at 808 and 832 West Glenn Avenue and a 30 foot long area surrounding the mailbox at 524 West Glenn Avenue.

Councilperson Dulaney introduced the Ordinance.
City Manager Duggan read the Ordinance by Title.
Councilperson Dulaney moved that unanimous consent be granted to consider the Ordinance.
Councilperson Kelley seconded the motion.

Mayor Pro Tem Phelan asked if there was an objection to the Ordinance being considered on its first reading.

Hearing no objection from the Council, Mayor Pro Tem Phelan declared unanimous consent granted and the Ordinance ready for adoption.

Upon roll call vote, the following Council members voted aye: Dulaney, Kelley, Norman, Anders, Beard, and Mayor Pro Tem Phelan. Voting nay: None.
Mayor Pro Tem Phelan declared the Ordinance adopted.
**ORDINANCE NO. 2799**

10. **RESOLUTIONS**.

a. Industrial Development Board. Tax Abatements. 358 Enterprise Drive and 2250 Riley Street. Auburn Technology Park West. Amend Tax Abatements Dated March 20, 2012 to include Both project sites.

(1) SiO2 Medical Projects, Inc.

City Manager Duggan said this Resolution modifies a tax abatement approved by the City Council on March 20, 2012. He noted that the abatement is being modified to add both project sites, 2250 Riley Street and 358 Enterprise Drive. He noted that all other elements of the tax abatement will remain unchanged.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-232**

(2) Capitol Medical Devices, Inc.

City Manager Duggan said this Resolution modifies a tax abatement approved by the City Council on March 20, 2012. He noted that the abatement is being modified to add both project sites, 2250 Riley Street and 358 Enterprise Drive. He noted that all other elements of the tax abatement will remain unchanged.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-233**

b. Industrial Development Board. Project China. Auburn Technology Park West. Concurrence with Package of Incentives.

City Manager Duggan said this Resolution concurs with a proposed package of incentives to be provided by the Industrial Development Board (IDB) to utilize the resources of the IDB and the Revolving Loan Fund to provide a package of incentives to locate Project China in Auburn Technology Park West. He noted that the project will result in an overall capital investment of approximately $132.135 million and approximately 105 new jobs will be created over the next five years.

10. **RESOLUTIONS**.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and the following members voted aye: Anders, Beard, Kelley, Norman and Mayor Pro Tem Phelan. Voting nay: None: Abstaining: Dulaney.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-234**

c. Agreements and Contracts. Authorize Mayor and/or City Manager to Sign.

(1) Public Safety Department.

(a) City of Opelika. Fire Service Mutual Aid. Agreement.

City Manager Duggan stated that this Resolution authorizes the Mayor and City Manager to execute an agreement with the City of Opelika to provide Fire Service Mutual Aid.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-235**

(b) Stivers Ford Lincoln Mercury. One (1) 2013 Ford F-250 Super Cab 4 x 4 Pickup Truck and One (1) 2013 F-250 Super Cab Pickup Truck. $47,666. State Contract T191A.

City Manager Duggan stated that this Resolution authorizes the City Manager to execute a contract to purchase one (1) 2013 Ford F-250 Super Cab 4x4 Pickup Truck and One (1) 2013 F-250 Super Cab Pickup Truck at a cost of $47,666 from Stivers Ford Lincoln Mercury on State Contract T191A. He noted that the vehicle will be used by the Fire Division of the Public Safety Department.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-236**

10. **RESOLUTIONS**.

d. Drainage and Utility Easements and Right of Way Easement. Auburn University. Acceptance.

(1) Construction Intersection Improvements at South College Street (SR-147) and College Street (CR-40) with Shug Jordan Parkway (SR-267) and East University Drive. Right of Way Easement.

City Manager Duggan stated that this Resolution accepts a right-of-way easement from Auburn University to construct intersection improvements at South College Street (SR-147) and College Street (CR-40) with Shug Jordan Parkway (SR-267) and East University Drive.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Norman seconded the motion.

Councilperson Dulaney asked when this construction project will begin?

City Manager Duggan stated that plans are to complete the project during the summer months.

Director of Public Works/City Engineer Jeff Ramsey stated that the decorative poles have been ordered and will take four months to be delivered. When the poles arrive, the contractor will have 120 days to complete the project.

Upon the motion before the Council, all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-237**

(2) Maintain Sanitary Sewer Line and Storm Drain Pipe across from Auburn University Alumni Center property. Intersection of South College Street and Miller Avenue. Drainage and Utility Easement.

City Manager Duggan stated that this Resolution accepts a drainage and utility easement from Auburn University for the purpose of maintaining the sanitary sewer line and storm drain pipe across from Auburn University Alumni Center property located at the intersection of South College Street and Miller Avenue.

10. **RESOLUTIONS (cont).**

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-238**

e. Boards and Commissions. Appointments.

(1) Water Works Board. One Position. Unexpired Term Ends June 21, 2014.

City Manager Duggan stated that the recommendation of the Committee of the Whole is the appointment of Brad C. Wilson to the Water Works Board to fill an unexpired term of office ending June 21, 2014.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-239**

(2) Public Park and Recreation Board. One Position. Six Year Term Ends December 18, 2018.

City Manager Duggan stated that the recommendation of the Committee of the Whole is the appointment of John Whittenburg for a six year term of office beginning December 19, 2012 and ending December 18, 2018.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the resolution adopted.
**RESOLUTION NO. 12-240**

11. **OTHER BUSINESS**.

None.

Mayor Pro Tem Phelan asked for comments from Council.

Councilperson Norman invited everyone to attend the Super 6 AHSAA Championship games at the Auburn University football arena on Thursday and Friday, December 6 and 7.

11. **OTHER BUSINESS (cont)**.

Councilperson Anders, who serves on the Super 6 Committee, reiterated Mr. Norman's comments and thanked Mr. Dulaney, a team host for the former 5A Champions Spanish Fort. He also thanked local law enforcement agencies for all their hard work in making this event a safe and secure event for the entire family to enjoy.

Councilperson Norman stated that a citizen commented to him that the new interchange at Cox Road is very nice. He asked what the speed limit will be for the ramp.

12. **ADJOURNMENT.**

Councilperson Norman moved that the meeting be adjourned.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Pro Tem Phelan declared the meeting adjourned at 7:20 PM.

_____
Mayor

ATTEST:

_____
City Manager