The City Council of the City of Auburn, Alabama met in regular session on Tuesday, April 15, 2014 at 7:02 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**. April 1, 2014.

Councilperson Dowdell moved that the minutes be approved.
Councilperson Kelley 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 April 1, 2014 Committee of the Whole meeting and nominated Susan Konstant for reappointment and Dr. Donna Bohanan to the Historic Preservation Commission.

b. Announcements.

None.

6. **AUBURN UNIVERSITY COMMUNICATIONS.**

None.

7. **CITIZENS' COMMUNICATIONS**.

None.

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

a. Board Announcement. Board of Education. One vacancy. Term expires May 31, 2019. Appointment made May 20, 2014.

City Manager Duggan announced one vacancy on the Board of Education. He said the appointment will be made at the May 20, 2014 City Council Meeting.

b. Taxpayer Waiver Request. AirCon Mechanical, LLC. $1,415.49.

City Manager Duggan said AirCon Mechanical, LLC request for the waiver of penalties equal to $1,415.49 for late filing of sales tax returns.

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

9. **ORDINANCES**.

a. Commercial Development Agreement. Old Towne Station. Unanimous Consent Necessary. Public Hearing Required.

City Manager Duggan said this ordinance approves a development agreement between the City of Auburn and H/S Interest, Inc. pursuant to the Commercial Development Incentive Program process. 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.

Councilmember Dulaney introduced the ordinance.
City Manager Duggan read the ordinance by title.

Councilmember Dulaney moved that unanimous consent be given for immediate consideration and action on said ordinance, which motion was seconded by Councilmember Kelley and, upon the said motion being put to vote, the following vote was recorded:

Aye:	Nay:
Councilmember Anders	None.
Councilmember Beard	
Councilmember Dowdell	
Councilmember Dulaney	
Councilmember Kelley	
Councilmember Norman	
Councilmember Phelan	
Councilmember Worden	
Mayor Bill Ham, Jr.	

Mayor Ham thereupon declared that the motion for unanimous consent for immediate consideration of and action on said ordinance was unanimously carried.

Councilmember Dulaney there upon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Kelley and, upon the said motion being put to vote, the following vote was recorded:

Aye:	Nay:
Councilmember Anders	None.
Councilmember Beard	
Councilmember Dowdell	
Councilmember Dulaney	
Councilmember Kelley	
Councilmember Norman	
Councilmember Phelan	
Councilmember Worden	
Mayor Bill Ham, Jr.	

The Chairman thereupon announced that the motion for adoption of said ordinance had been carried.
ORDINANCE NO. 2864

b. Annexation. Patricia Strobel. Approximately 11.5 acres. Property located at 2295 Longwood Drive. Unanimous Consent Necessary. Planning Commission Recommendation.

City Manager Duggan said Patricia Strobel requests annexation of approximately 11.5 acres located at 2295 Longwood Drive.

9. **ORDINANCES (cont)**.

Councilperson Phelan introduced the ordinance.
City Manager Duggan read the ordinance by title.
Councilperson Phelan moved that unanimous consent be grated to consider the ordinance.
Councilperson Anders seconded the motion.

Mayor Ham asked if there was an objection to the ordinance being considered on its first reading.

Hearing no objection from the Council, Mayor Ham declared unanimous consent granted and the ordinance ready for adoption.

Upon roll call vote, the following Council members voted aye: Anders, Beard, Dowdell, Dulaney, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting nay: None.
ORDINANCE NO. 2865

10. **RESOLUTIONS**.

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

(1) Darren Bradham. Road service use (Goo Goo Car Wash) located in the Comprehensive Development (CDD) zoning district. Property located at 1672 South College Street.

City Manager Duggan said Darren Bradham requests conditional use approval for a road service use (Goo Goo Car Wash) in the Comprehensive Development (CDD) 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 Dowdell moved that the resolution be adopted.
Councilperson Worden seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-73

(2) Midtown, LLC. Road service use (Fast food restaurant with drive thru) located in the Commercial Conservation (CC) zoning district. Property located at 1345 Opelika Road (Old Towne Station).

City Manager Duggan said Buddy Satterwhite requests conditional use approval for a road service use (fast food restaurant with drive thru) located in the Commercial Conservation (CC) 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 Anders moved that the resolution be adopted.
Councilperson Worden seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-74

(3) Touchstone Precision. Amended conditional use. Expansion of existing industrial use (Touchstone Precision 2014 Expansion) located in the Industrial (I) zoning district. Property located at 239 Technology Parkway.

10. **RESOLUTIONS (cont)**.

City Manager Duggan said Phillip Dunlap requests amended conditional use approval for the expansion of an existing industrial use (Touchstone Precision 2014 Expansion) located in the Industrial (I) 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 Dowdell moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-75

(4) Scott Land Company, LLC. Multiple uses (East Glenn Retail) located in the Industrial (I) zoning district. Property located at 2431 East Glenn Avenue.

City Manager Duggan said Sean Foote requests conditional use approval for multiple uses (East Glenn Retail) located at 2431 East Glenn Avenue. 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 Dulaney asked why some Planning Commission members voted against the request.

Planning Director Forrest Cotten explained that they were concerned with the cross access recommendation.

Councilperson Anders moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-76

(5) Stone Martin Builders, LLC. Outdoor recreational use (Cotswold Amenity Lot) located in the Development District Housing (DDH) zoning district. Property located in the 700 block of Banbury Street, west of Weston Street.

City Manager Duggan said Blake Rice requests conditional use approval for an outdoor recreation use (Cotswold Amenity Lot) located in the Development District Housing (DDH) 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 Phelan moved that the resolution be adopted.
Councilperson Dulaney seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-77

b. Economic Development Department. Tax Abatements. GE Aviation. 2400 Innovation Drive.

(1) Amendment of existing abatement.

10. **RESOLUTIONS (cont)**.

City Manager Duggan said this resolution amends a tax abatement for acquisition of new equipment for GE Aviation at its facility in the Auburn Technology Park West.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-78

(2) New equipment abatement.

City Manager Duggan said this resolution provides tax abatements for GE Aviation in support of additional equipment at its existing facility in the Auburn Technology Park West.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-79

c. Industrial Development Board. Vacation of Right-of-Way. Innovation Drive. Public Hearing Required.

City Manager Duggan said this resolution assents to the vacation of a portion of a dedicated public road (Innovation Drive). 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 Worden moved that the resolution be adopted.
Councilperson Dulaney seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-80

d. Endorse Transportation Alternatives Program (TAP) grant application. Annalue Drive Sidewalk Project.

City Manager Duggan said this resolution endorses a Transportation Alternatives Program (TAP) grant applicant for the Annalue Drive Sidewalk Project.

Councilperson Beard moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-81

e. Authorize Consumption of Alcohol. Private event at Kiesel Park. May 10, 2014.

City Manager Duggan said this resolution authorizes the consumption of alcohol at a private event at Kiesel Park on May 10, 204.

Councilperson Worden moved that the resolution be adopted.
Councilperson Kelley seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-82

f. Drainage and Utility Easement and Lighting and Painting Easement. Lipscomb Investment Company, Ltd. Downtown Parking Phase 2A Project (College Street and Magnolia Avenue Alleys).

10. **RESOLUTIONS (cont)**.

City Manager Duggan said this resolution accepts a drainage and utility, lighting and painting easement from Lipscomb Investment Company, Ltd. for the Downtown Parking Phase 2A Project (College Street and Magnolia Avenue Alleys).

Councilperson Beard moved that the resolution be adopted.
Councilperson Worden seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-83

g. Quit-Claim Deed and Property Donation. Lipscomb Investment Company, Ltd. Downtown Parking Phase 2A Project (College Street and Magnolia Avenue Alleys).

City Manager Duggan said this resolution authorizes the Mayor and City Manager to accept and approve a quit-claim deed from Lipscomb Investment Company, Ltd. relinquishing its rights to property at 116 North College Street and donating the property to the City for the Downtown Parking Phase 2A Project (College Street and Magnolia Avenue Alleys).

Councilperson Worden moved that the resolution be adopted.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-84

h. Board Appointments. Historic Preservation Commission. Three vacancies. Terms begin April 21, 2014 and end April 20, 2017.

City Manager Duggan said this resolution reappoints Susan Konstant and appoints Dr. Donna Bohanan to the Historic Preservation Commission for terms of office beginning April 21, 2014 and ending April 20, 2017. He noted that the third appointment will be made at the May 6, 2014 City Council meeting.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 14-85

11. **OTHER BUSINESS**.

None.

12. **ADJOURNMENT**.

Councilperson Kelley moved that the meeting be adjourned.
Councilperson Dulaney seconded the motion and all members voted aye.
The meeting was adjourned at 7:14 PM.

_____
Mayor

ATTEST:

_____
City Manager