The City Council of the City of Auburn, Alabama met in regular session on Tuesday, October 1, 2013 at 7:00 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., Robin Kelley, Bob Norman, Dick Phelan, Tom Worden, and Mayor Bill Ham, Jr. Also present was City Manager Charles M. Duggan, Jr.
Absent: Gene Dulaney.

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**. September 17, 2013.

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

Councilman Dowdell entered the meeting at 7:01 PM.

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

a. Employee of the Month.
Cody Carlson.
Public Safety Department - Fire Division.

Mayor Ham read a memorandum from Public Safety Director Bill James nominating Cody Carlson as Employee of the Month for October 2013 for his outstanding performance as a Lieutenant in the Public Safety Department – Fire Division. Mayor Ham presented Mr. Carlson with a framed Employee of the Month certificate and a small gift from the Council. He thanked him for his hard work and dedication to the citizens of Auburn.

b. Service Pins and Plaques.

(1) Penny Smith.
Finance Department.
10 Years.

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

(2) Brock Young.
Public Safety – Police Divsion.
10 Years.

(3) John Benefield.
Public Safety Department- Fire Division.
20 Years.

Mayor Ham presented 10 - year service pins to Penny Smith of the Finance Department and Brock Young of the Public Safety Department – Police Divsiion; and a 20 – year service pin to John Benefield of the Public Safety Department – Fire Division. Mayor Ham thanked all of the employees for their hard work and dedication to the citizens of Auburn.

c. Presentation to Retiring Employee. Thomas L. Stofer. Public Safety- Police Division.

Mayor Ham presented Tomas L. Stofer of the Public Safety Department – Police Division with an obelisk to commemorate his retirement.

d. Teamwork Award. Public Works Department, Information Technology Department, and Public Safety- Codes Enforcement Division Employees. FEMA National Floodplain Insurance Program's Community Rating System.

Mayor Ham presented employees from the Public Works Department, Information Technology Department, and Public Safety Department – Codes Enforcement Division with Teamwork Awards for their participation in the FEMA National Floodplain Insurance Program's Community Rating System.

e. 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 September 17, 2013 Committee of the Whole meeting and made nominations to the Auburn Library Board, Auburn Cemeteries Advisory Board and the Industrial Development Board.

d. Announcements.

None.

6. **AUBURN UNIVERSITY COMMUNICATIONS.**

None.

7. **CITIZENS' COMMUNICATIONS**.

Attorney Julian McPhillips from Montgomery addressed the Council regarding claims made by one of his clients.

Lakeisha King, 501 Haywood Street, addressed the Council with an issue involving a property ownership dispute and code enforcement assessments.

Steven Benson, 1414 Barkley Circle, addressed the Council regarding the recent school tax election.

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

a. Announcement of Board Vacancies. Tree Commission. Three (3) Vacancies. Terms Expire November 7, 2016. Appointments at the November 5, 2013 Meeting.

City Manager Duggan announced three vacancies on the Tree Commission that will be appointed at the November 5, 2013 City Council Meeting.

b. Alcoholic Beverage Licenses.

(1) Dollar General Corp d/b/a Dollar General. 050- Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) Alcoholic Beverage Licenses.

a. Store 13945. 1961 Wire Road.

City Manager Duggan said that Dollar General Corp d/b/a Dollar General Store 13945 is seeking approval for a 050 – Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) alcoholic beverage license.

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

8. **CITY MANAGER'S COMMUNICATIONS (cont)**.

b. Store 14520. 1106 Opelika Road.

City Manager Duggan said that Dollar General Corp d/b/a Dollar General Store 14520 is seeking approval for a 050 – Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) alcoholic beverage license.

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

(2) Mapco Express, Inc. 050- Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) Alcoholic Beverage Licenses.

a. Mapco 7511. 2393 East University Drive.

City Manager Duggan said that Mapco Express, Inc. - Mapco 7511 is seeking approval for a 050 – Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) alcoholic beverage license.

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

b. Mapco 7513. 2385 Moores Mill Road.

City Manager Duggan said that Mapco Express, Inc. - Mapco 7513 is seeking approval for a 050 – Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) alcoholic beverage license.

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

9. **ORDINANCES**.

a. Annexations.

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

9. **ORDINANCES (cont)**.

City Manager Duggan said this ordinance annexes 2.27 acres located east of South College Street and south of Mt. Vernon Baptist Church.

Councilperson Dowdell introduced the ordinance.
City Manager Duggan read the ordinance by title.
Councilperson Dowdell moved that unanimous consent be granted to consider the ordinance.
Mayor Ham asked if there was an objection to considering the ordinance on first reading.
Councilperson Kelley objected to considering the ordinance on first reading.

City Manager Duggan announced the ordinance will be considered on second reading at the October 15, 2013 meeting.

(2) Trace and Cassandra Hamiter. Property located at 1300 Lee Road 90 (Morris Drive). Approximately 1.67 acres.

City Manager Duggan said this ordinance annexes approximately 1.67acres located at 1300 Lee Road 90 (Morris Drive).

Councilperson Phelan 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. Close City Streets. Auburn University SGA. Homecoming Parade. October 11, 2013.

City Manager Duggan said this resolution authorizes the closing of city streets for the Auburn University Homecoming Parade on October 11, 2013.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Beard seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-232

b. Tax Abatement. Industrial Development Board. Seohan Auto USA Corporation. 2590 Innovation Dr. Auburn Technology Park West – Lot 19. Education, Hospital, and Children's Home Ad Valorem and Sales and Use Taxes Not Abated.

10. **RESOLUTIONS (cont)**.

City Manager Duggan said this resolution provides tax abatements for non-educational ad valorem taxes, sales and use taxes, and mortgage and recording taxes for Seohan Auto USA Corporation.

Councilperson Kelley moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None. Mayor Ham declared the motion carried.
RESOLTUION NO. 13-233

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

(1) Sansom Equipment Company. Purchase one (1) 2014 Ramer 3500 Shuttle Knuckle Boom Loader with tip boom extension, one Kenworth T3170 Chassis, and one (1) Ramer 20 foot heavy-duty trailer. $147,876.

City Manager Duggan said this resolution authorizes the City Manager to execute a contract with Sansom Equipment company for the purchase of one (1) 2014 Ramer 3500 Shuttle Knuckle Boom Loader with tip boom extension, one Kenworth T3170 Chassis, and one (1) Ramer 20 foot heavy – duty trailer.

Councilperson Anders moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None. Mayor Ham declared the motion carried.
RESOLTUION NO. 13-234

(2) Ervin Cable Construction,LLC. Installation of fiber optic cable from Fire Station No. 5 to the H.C. Morgan Water Pollution Control Facility (WPCF). $49,177.67.

City Manager Duggan said this resolution authorizes the City Manager to execute a contract with Ervin Cable Construction for the installation of fiber optic cable from Fire Station No. 5 located in the South Industrial Park to the H.C. Morgan Water Pollution Control Facility.

Councilperson Norman asked why the installation was necessary.

Water Resource Management Director Eric Carson explained that the installation will allow his department to monitor and control the sewer plant from the Water Resource Management offices via the SCADA system which is currently used to maintain and control the water plant as well as numeral sewer lift stations.

10. **RESOLUTIONS (cont)**.

Councilperson Worden moved that the resolution be adopted.
Councilperson Anders seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None. Mayor Ham declared the motion carried.
RESOLTUION NO. 13-235

(3) Video Industrial Services, Inc. Closed Circuit Television (CCTV) Inspection, cleaning, rehabilitation recommendations and root control recommendations for sanitary sewer infrastructure in Northside Sewer Basin 5. $29,074.50.

City Manager Duggan said this resolution authorizes the City Manager to execute a professional services agreement with Video Industrial Services, Inc. for closed circuit television (CCTV) inspection, cleaning, rehabilitation recommendations and root control recommendations for sanitary sewer infrastructure in Northside Sewer Basin 5.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None. Mayor Ham declared the motion carried.
RESOLTUION NO. 13-236

d. Drainage and Utility Easements.

(1) Dilworth Development, Inc. Property located on Wrights Mill Road between Loftin Drive and East University Drive. Rights – of – Way. Acceptance.

City Manager Duggan said this resolution accepts various rights – of – way from Dilworth Development, Inc.

Councilperson Beard moved that the resolution be adopted.
Councilperson Phelan seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None. Mayor Ham declared the motion carried.
RESOLTUION NO. 13-237

(2) Walker, LLC. Property located at 1833 Opelika Road. Various Drainage, Utility, and Sidewalk Easements. Acceptance.

City Manager Duggan said this resolution accepts various drainage, utility, and sidewalk easements from Walker, LLC.

10. **RESOLUTIONS (cont)**.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Phelan seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-238

e. Right – of – Way Vacation. Public Hearing Required. James Robert and Leellyn G. Hix and Gerald and Glennelle M. Halpin. Property located between Lot 51 and Lot 52 of Whippoorwill Estates Subdivision. Authorize Execution of Quit Claim Deed.

City Manager Duggan said this resolution assents to the vacation of the right – of – way located between Lot 51 and 52 of Whippoorwill Estates Subdivision and authorizes the execution of a Quit Claim Deed. An easement will be reserved. 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 Norman moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-239

f. Board Appointments.

(1) Auburn Public Library Board. One (1) Vacancy. Unexpired Term Ends April 14, 2015.

City Manager Duggan said this resolution appoints Glenda Logue to the Auburn Public Library Board for an unexpired term of office ending April 14, 2015.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Phelan seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-240

(2) Cemeteries Advisory Board. One (1) Vacancy. Unexpired Term Ends February 4, 2016.

10. **RESOLUTIONS (cont)**.

City Manager Duggan said this resolution appoints Herb White to the Auburn Cemeteries Advisory Board for an unexpired term of office ending February 4, 2016.

Councilperson Anders moved that the resolution be adopted.
Councilperson Beard seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-241

(3) Industrial Development Board. Two (2) Vacancies. Terms Ends October 9, 2019.

City Manager Duggan said this resolution appoints K. Ted Wilson to the Industrial Development Board for a term of office beginning October 10, 2013 and ending October 9, 2019. He noted that the second appointment will be made at the October 15, 2013 City Council meeting.

Councilperson Beard moved that the resolution be adopted.
Councilperson Worden seconded the motion and the following members voted aye: Beard, Dowdell, Kelley, Norman, Phelan, Worden, and Mayor Ham. Voting Nay: None.
Mayor Ham declared the motion carried.
RESOLTUION NO. 13-242

11. **OTHER BUSINESS**.

None.

12. **ADJOURNMENT**.

Councilperson Dowdell moved that the meeting be adjourned.
Councilperson Beard seconded the motion and all members voted aye.
The meeting was adjourned at 7:48 PM.

_____
Mayor

ATTEST:

_____
City Manager