The City Council of the City of Auburn, Alabama met in regular session on Tuesday, February 5, 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., Gene Dulaney, Robin Kelley, Bob Norman, Dick Phelan, and Mayor Bill Ham, Jr. Also present was City Manager Charles M. Duggan, Jr.

Absent: Councilperson Tom Worden.

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**. January 22, 2013.

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

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

a. Employee of the Month.
Fred Watson.
Public Works Department.

Mayor Ham read a memorandum from Public Works Director/City Engineer Jeff Ramsey nominating Fred Watson as Employee of the Month for February 2013 for his outstanding performance as Traffic Signs Maintenance Technician in the Public Works Department – Traffic Division. (A copy of the entire memorandum is attached to the minutes).

Mayor Ham presented Fred with a framed Employee of the Month certificate and a small gift from the Council. He thanked him for his service to the citizens of this community and for his hard work and dedication to the City of Auburn.

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

b. Service Pin. Travis DeBardelaben.
Parks & Recreation Department.
5 Years.

Mayor Ham presented a five (5) year service pin to Travis DeBardelaben of the Parks & Recreation Department. He thanked Travis for his dedication and hard work at the tennis center. He said he receives numerous compliments from those who use the facility.

c. 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 previous Committee of the Whole meeting.

d. Announcements.

Mayor Ham announced that Councilman Worden is home recuperating from two strokes he recently suffered; however, he plans to attend the next City Council meeting if at all possible.

6. **AUBURN UNIVERSITY COMMUNICATIONS**.

SGA Director of City Relations Clay Phillips was not present.

7. **CITIZENS' COMMUNICATIONS.**

Mrs. Alice Skutack, 807 East University Drive, appeared before the Council to discuss her concerns about the new Senior Center being built at the corner of Perry Street and Drake Avenue just off Opelika Road. She said she attended an earlier meeting of the Parks & Recreation Advisory Board and many of her concerns had already been addressed to her satisfaction.

City Manager Duggan answered questions posed by Mrs. Skutack and indicated that any additional information needed can be obtained by contacting him at City Hall during regular office hours.

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

a. Alcoholic Beverage License. Shrimp Basket Auburn, Inc. dba/ Shrimp Basket. 1651 South Collegte Street. 020-Restaurant Retail Liquor License.

City Manager Duggan said Shrimp Basket Auburn, Inc. dba/Shrimp Basket is seeking approval for an 020 – Restaurant Retail Liquor alcoholic beverage license for property located at 1651 South College Street in the Comprehensive Development District (CDD) zoning district, which permits the restaurant (commercial and entertainment) use. He noted that this is a new business that does not currently have an alcoholic beverage license.

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

b. Announcement of Board Vacancies. Appointments at the March 5, 2013 Meeting.

City Manager Duggan announced the following upcoming vacancies:

(1) Metropolitan Planning Organization-Citizens Advisory Committee. Five (5) Vacancies. Four Year Terms Expire March 8, 2017.

(2) Commercial Development Authority. Two Vacancies. Four Year Terms Expire March 15, 2017.

Mr. Duggan noted that the appointments will be on the March 5, 2013 agenda.

9. ORDINANCES.

None.

10. **RESOLUTIONS**.

a. Infrastructure Development Agreement. Auburndan, Inc. (Tivoli – formerly Tuscany Village). Property Located off South College Street on Tivoli Village Drive

City Manager Duggan said this Resolution adopts a development agreement with Auburndan, Inc. (Tivoli - formerly Tuscany Village). He said an Executive Summary highlighting the agreement's content is enclosed for Council's review and is attached to the original minutes.

Councilperson Dowdell moved that the Resolution be adopted.
Councilperson Norman seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-25

b. Industrial Development Board.

(1) Auburn Technology Park West. Road and Infrastructure Project. Concurrence with Board Actions.

City Manager Duggan said this Resolution is for the concurrence with a road and infrastructure project related to the construction of a new cul-de-sac in Auburn Technology Park West.

Councilperson Phelan moved that the Resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-26

(2) Arkal Automotive USA, Inc. 2490 Innovation Drive. Extending and Amending Tax Abatement to reflect additional investment and additional time to reach full ramp-up.

City Manager Duggan said this Resolution extends and amends a non-educational ad valorem tax and sales and use tax abatement granted for the acquisition of new equipment and tenant finishes for Arkal Automotive USA, Inc. at its new facility in the Auburn Technology Park West. Education, hospital, and children's home ad valorem and sales and use taxes are not abated.

10. **RESOLUTIONS (cont)**.

Because the initial phase of the project is larger than originally anticipated the company has requested that the abatement be amended to reflect the additional investment and additional time to reach full ramp-up.

Councilperson Dowdell moved that the Resolution be adopted.
Councilperson Dulaney seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-27

(3) CNJ, Inc. 265 Teague Court. Tax Abatement. Non-educational Ad Valorem Taxes and Sales and Use Taxes. Education, Hospital, and Children's Home Ad Valorem and Sales and Use Taxes not Abated.

City Manager Duggan said this Resolution provides abatements for non-educational ad valorem taxes and sales and use taxes. Education, hospital, and children's home ad valorem and sales and use taxes are not abated. He noted that this abatement is in connection to a building expansion for CNJ, Inc. at its existing location in the Auburn Industrial Park and for new equipment needed for the expansion.

Councilperson Dulaney moved that the Resolution be adopted.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-28

c. East Alabama Recycling Partnership (EARP) (City of Auburn, Auburn University, and Lee County). Authorize Submission of 2013 Alabama Recycling Fund Grant.

City Manager Duggan said this Resolution authorizes the Mayor to submit an application to the Alabama Recycling Fund Grant Program for the 2013 grant cycle and to execute the applicable agreement(s) if grant funds are awarded.

Councilperson Phelan moved that the Resolution be adopted.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-29

10. **RESOLUTIONS (cont)**.

d. Travel Advance. National League of Cities Congressional Cities Conference. Washington, DC. March 9-13, 2013. Arthur L. Dowdell, Sr. $1,215.

City Manager Duggan said this Resolution authorizes the Mayor and City Manager to approve a $1,215 cash advance to Council member Arthur L. Dowdell, Sr. to cover expenses while attending the National League of Cities Congressional Cities Conference in Washington, DC from March 9 – 13, 2013.

Councilperson Kelley moved that the Resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the Resolution adopted.
RESOLUTION NO. 13-30

e. Contracts. Authorize Mayor and/or City Manager to Sign.

(1) Public Safety Department – Police Division. Purchase Ten (10) 2013 Chevrolet Caprice Law Enforcement Sedans – Five (5) w/V-8 engines ($27,005.88/each) and Five (5) w/V-6 engines ($27,177.08/each). Capitol Chevrolet, Inc. $270,914.80. State Contract T191L.

City Manager Duggan stated that this Resolution authorizes the City Manager to execute a contract to purchase ten (10) 2013 Chevrolet Caprice Law Enforcement Sedans with five (5) being equipped with V-8 engines ($27,005.88/each) and five (5) being equipped with V-6 engines ($27,177.08/each) from Capitol Chevrolet, Inc. of Montgomery, AL per State contract T191L. He noted that the total contract amount is $270,914.80.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 13-31

(2) Parks & Recreation Department. City of Auburn/ Auburn University Yarbrough Tennis Center. Welch Tennis Courts, Inc.

(a) Resurface Sixteen (16) Clay Tennis Courts. $38,225.

10. **RESOLUTIONS (cont)**.

City Manager Duggan stated that this Resolution authorizes the City Manager to execute a contract with Welch Tennis Courts, Inc. in the amount of $38,225 for the resurfacing of the 16 clay courts at the City of Auburn/Auburn University Yarbrough Tennis Center.

Councilperson Dulaney moved that the resolution be adopted.
Councilperson Beard seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 13-32

(b) Replace Pads Behind Hard Tennis Court. $21,620.

City Manager Duggan stated that this Resolution authorizes the City Manager to execute a contract with Welch Tennis Courts, Inc. in the amount of $21,620 for the replacement of the pads behind the hard courts at the City of Auburn/ Auburn University Yarbrough Tennis Center.

Councilperson Dowdell moved that the resolution be adopted.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 13-33

f. Brantley Land, LLC. Brantley Crossing. Property Located at 3810 South College Street. Drainage and Utility Easements. Acceptance.

City Manager Duggan stated that this Resolution accepts various drainage and utility easements, as shown on the plat, Brantley Crossing, located at 3810 South College Street.

Councilperson Beard moved that the resolution be adopted.
Councilperson Dowdell seconded the motion and all members voted aye.
Mayor Ham declared the resolution adopted.
RESOLUTION NO. 13-34

11. **OTHER BUSINESS**.

None.

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

Mayor Ham asked for comments from Council.

There were no comments from Council.

12. **ADJOURNMENT.**

Councilperson Dowdell moved that the meeting be adjourned.
Councilperson Anders seconded the motion and all members voted aye.
Mayor Ham declared the meeting adjourned 7:31 PM.

_____
Mayor

ATTEST:

_____
City Manager