The City Council of the City of Auburn, Alabama, met in regular session on Tuesday, May 16, 2023, at 6:00 PM in the Council Chamber of the Auburn Public Safety Building at 141 North Ross Street.

1. **CALL TO ORDER**. Mayor Anders.

Mayor Anders called the meeting to order.

2. **ROLL CALL.**

The following Councilpersons were present: Tyler Adams, Max Coblentz, Tommy Dawson, Kelley Griswold, Sonny Moreman, Bob Parsons, Beth Witten and Mayor Ron Anders. Absent: Connie Taylor. Also present was City Manager Crouch.

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

Mayor Anders 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. **MAYOR AND COUNCIL COMMUNICATIONS.** Mayor Anders.

a. Committee of the Whole.

Mayor Anders stated that at the Committee of the Whole previously held the Council approved the minutes from the May 2 Committee of the Whole meeting.

b. Announcements.

Mayor Anders thanked various groups for hosting him over the last two weeks and provided a preview of the events he will attend in the coming days and offered condolences to the family of former Councilmember Dewey Northcutt.

Councilperson Adams thanked the mayor on behalf of the Northcutt Family and invited members of Ward 4 to the ward meeting at 6 p.m. on May 23 at the Auburn Public Library.

Councilperson Parsons said he attended the recent firefighter graduation.

5. **AUBURN UNIVERSITY COMMUNICATIONS.**

AU SGA Co-Director of City Relations Jack Steudle updated the Council about events at Auburn University.

6. **CITIZENS' COMMUNICATIONS ON AGENDA ITEMS.**

None.

7. **CITY MANAGER'S COMMUNICATIONS**. City Manager Crouch.

a. Board announcement. Planning Commission. One (1) vacancy. Term begins August 1, 2023, and ends July 31, 2029. Appointment July 18, 2023.

City Manager Crouch announced one vacancy on the Planning Commission and said the appointment would be made at the July 18 meeting.

8. **CONSIDERATION OF CONSENT AGENDA.**

City Manager Crouch asked if any items should be removed from the consent agenda for discussion.

Councilperson Griswold removed item 8b from the consent agenda.

Councilperson Coblentz moved that the items on the consent agenda be adopted.
Councilperson Witten seconded the motion, and all members voted aye.

8. **CONSIDERATION OF CONSENT AGENDA (cont).**

a. Minutes. May 2, 2023. **APPROVED**

b. Indian Pines Recreation Authority. Approve Amended and Restated Articles of Incorporation.

This item was removed from the consent agenda.

c. Authorize traffic calming device. Speed hump on Anders Court.
RESOLUTION No. 23-079

d. 2023 Improvements Reimbursements. Allows for reimbursement of certain expenditures prior to financing. Lake Wilmore project. **RESOLUTION No. 23-080**

e. Contracts and agreements.

(1) Auburn Game Day Law Enforcement Corporation and area law enforcement agencies. Supplemental law enforcement services. Auburn University sporting events. August 1, 2023 - July 31, 2024.
RESOLUTION No. 23-081

(2) Auburn University. Supplemental law enforcement services. Auburn University sporting events. August 1, 2023 - July 31, 2024.
RESOLUTION No. 23-082

(3) BB Cable Construction, LLC. Donahue Drive/Martin Luther King Drive Fiber Reroute Project. $33,600. **RESOLUTION No. 23-083**

(4) Chambley's Display Fireworks. 2023 July 4th Show. $20,150.
RESOLUTION No. 23-084

(5) Dell Marketing LP c/o Dell USA LP. Purchase an additional 15 months of support and maintenance for six Dell VXRail E560F nodes. $51,665.59.
RESOLUTION No. 23-085

(6) Ponder's Nursery, Inc. Margie Piper Bailey Park Field renovations. $127,340. **RESOLUTION No. 23-086**

(7) The Water Works Board of the City of Auburn. Water access fee. Lake Wilmore Park Community Center. $28,800. **RESOLUTION No. 23-087**

f. Easements and right-of-way. Tigers Shadow, LLC and SDF, LLC. Accept right-of-way, a public sanitary sewer easement and public drainage, utility, and sidewalk easements. Property located at 1945 Wire Road. **RESOLUTION No. 23-088**

b. Indian Pines Recreation Authority. Approve Amended and Restated Articles of Incorporation.

City Manager Crouch said this resolution approves the Indian Pines Recreation Authority’s amended and restated articles of incorporation.

Councilperson Griswold asked if the bonds would go through the city.

City Manager Crouch said the authority will secure its own financing.

Indian Pines Recreation Authority board member Cliff Knight spoke about the project.

8. **CONSIDERATION OF CONSENT AGENDA (cont).**

Councilperson Parsons moved that the resolution be adopted.
Councilperson Witten seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-078

9. **ORDINANCES.**

a. "Back to School" sales tax holiday. Exempt certain items from city sales taxes. Friday, July 21 through Sunday, July 23, 2023. Unanimous consent necessary.

City Manager Crouch said this ordinance authorizes the “Back to School” sales tax holiday.

Councilperson Coblentz introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Coblentz moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Witten seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Adams, Coblentz, Dawson, Griswold, Moreman, Parsons, Witten and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3428

b. Annexations. Unanimous consent necessary. Planning Commission recommendations.

(1) Beehive Park Annexation. North side of Lee Road 10 (Beehive Road), east of Biltmore Lane. Annexation of approximately 18.90 acres.

City Manager Crouch said this ordinance annexes approximately 18.90 acres.

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Coblentz seconded the motion.

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

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

Councilperson Griswold asked about the status of a bike path.

City Manager Crouch said a bike lane is proposed.

Upon roll call vote, the following Council members voted aye: Coblentz, Dawson, Griswold, Moreman, Parsons, Witten, Adams and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3429

9. **ORDINANCES (cont).**

(2) McAlister Property Annexation. 2477 Lee Road 0010 (Beehive Road). Annexation of approximately 78.30 acres.

City Manager Crouch said this ordinance annexes approximately 78.30 acres.

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Witten seconded the motion.

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

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

Councilperson Griswold asked if there was sewer connectivity available to the property.

City Manager Crouch said it is available.

Councilman Moreman thanked city staff for meeting with the residents in the area.

Upon roll call vote, the following Council members voted aye: Dawson, Griswold, Moreman, Parsons, Witten, Adams, Coblentz and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3430

(3) Weeks Annexation. 2225 Lee Road 10 (Beehive Road). Annexation of approximately 13.14 acres.

City Manager Crouch said this ordinance annexes approximately 13.14 acres.

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Coblentz seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Griswold, Moreman, Parsons, Witten, Adams, Coblentz, Dawson and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3431

c. Zoning. Unanimous consent necessary. Planning Commission recommendations. Public hearings required.

(1) APC Auburn HQ. 1515 Pumphrey Avenue. Rezoning of approximately 3.92 acres from Comprehensive Development District (CDD) to Industrial (I).

City Manager Crouch said this ordinance rezones approximately 3.92 acres. She added that a public hearing was required.

9. **ORDINANCES (cont).**

Mayor Anders opened the public hearing.

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

Councilperson Parsons introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Parsons moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Witten seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Moreman, Parsons, Witten, Adams, Coblentz, Dawson, Griswold and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3432

(2) Beehive Park Rezoning. North side of Lee Road 10 (Beehive Road), east of Biltmore Lane. Rezoning of approximately 18.90 acres from Rural (R) to Industrial (I).

City Manager Crouch said this ordinance rezones approximately 18.90 acres. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Adams seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Parsons, Witten, Adams, Coblentz, Dawson, Griswold, Moreman and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3433

(3) Farmville Lakes PDD Amendment. Amendment to the Planned Development District (PDD) on 101.4 acres.

City Manager Crouch said this ordinance amends the Farmville Lakes PDD. She added that a public hearing was required.

Mayor Anders opened the public hearing.

Harold Watson (2549 Farmville Lake Drive) spoke in opposition to the proposed amended PDD.

9. **ORDINANCES (cont).**

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

Councilperson Witten said she had heard from several residents that are opposed to the change in the PDD and thinks it should remain commercial as it is in the original PDD.

Councilperson Witten introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Witten moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Adams seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: None. Voting no: Witten, Adams, Coblentz, Dawson, Griswold, Moreman, Parsons and Mayor Anders.
Mayor Anders declared the ordinance failed.

(4) McAlister Property Rezoning. 2477 Lee Road 10 (Beehive Road). Rezoning of approximately 78.30 acres from Rural (R) to Industrial (I).

City Manager Crouch said this ordinance rezones approximately 78.30 acres. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Coblentz seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Adams, Coblentz, Dawson, Griswold, Moreman, Parsons, and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3434

(5) Madison Park PDD Amendment. Amendment to remove approximately 1.69 acres from the Madison Park Planned Development District (PDD). Property located at 652 Haley Lane.

City Manager Crouch said this ordinance amends the Madison Park PDD. She added that a public hearing was required.

Mayor Anders opened the public hearing.

Brett Basquin (authorized representative) spoke about the project.

9. **ORDINANCES (cont).**

Michael Musselwhite (1318 Kurt Circle) said they plan to build high-end, free-standing homes.

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

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Adams seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: None. Voting no: Adams, Coblentz, Dawson, Griswold, Moreman, Parsons, Witten and Mayor Anders.
Mayor Anders declared the ordinance failed.

(6) Weeks Rezoning. 2225 Lee Road 10 (Beehive Road). Rezoning of approximately 13.14 acres from Rural (R) to Industrial (I).

City Manager Crouch said this ordinance rezones approximately 13.14 acres. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Dawson introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Dawson moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Coblentz seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Coblentz, Dawson, Griswold, Moreman, Parsons, Witten, Adams and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3435

d. Zoning Ordinance text and map amendments. Unanimous consent necessary. Public hearings required.

(1) Zoning Ordinance Text Amendments for the establishment of the Interstate Commercial District (ICD). Unanimous consent necessary.

City Manager Crouch said this ordinance amends the zoning ordinance to establish the Interstate Commercial District. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

9. **ORDINANCES (cont).**

The Council asked questions about the proposed amendments.

City Manager Crouch answered the questions.

Councilperson Coblentz introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Coblentz moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Dawson seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Dawson, Griswold, Moreman, Parsons, Witten, Adams, Coblentz and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3436

(2) Zoning Map Amendment. Southwest quadrant of the Corporate Parkway and Cox Road intersection (more specifically 3022 Cox Road) from Comprehensive Development District (CDD) to Interstate Commercial District (ICD).

City Manager Crouch said this ordinance amends the zoning map. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Dawson said he appreciates the staff's work on the amendments.

Councilperson Parsons introduced the ordinance.
City Manager Crouch read the ordinance by title.
Councilperson Parsons moved that unanimous consent be granted to consider the ordinance on its first reading.
Councilperson Dawson seconded the motion.

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

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

Upon roll call vote, the following Council members voted aye: Griswold, Moreman, Parsons, Witten, Adams, Coblentz, Dawson and Mayor Anders. Voting no: None.
Mayor Anders declared the ordinance adopted.
Ordinance No. 3437

10. **RESOLUTIONS.**

a. Conditional use approvals. Planning Commission recommendations. Public hearings required.

(1) 1027 East Glenn Mixed-Use. Performance residential development (multiple-unit development). Property located at 1027 East Glenn Avenue.

City Manager Crouch said this resolution authorizes conditional use approval for a performance residential development. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Witten moved that the resolution be adopted.
Councilperson Parsons seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-089

(2) Mall Boulevard Leasing Building. Commercial support use (warehouse). Property located at 1926 Mall Boulevard.

City Manager Crouch said this resolution authorizes conditional use approval for a commercial support use. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Witten moved that the resolution be adopted.
Councilperson Coblentz seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-090

(3) Scooter's Coffee Drive-thru Conditional Use. Road Service Use (Drive-thru). Property located at 1945 East Glenn Avenue.

City Manager Crouch said this resolution authorizes conditional use approval for a road service use. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Witten moved that the resolution be adopted.
Councilperson Adams seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-091

(4) Shinhwa Phase 5. Industrial use (manufacturing facility). Property located at 2535 West Tech Lane.

City Manager Crouch said this resolution authorizes conditional use approval for an industrial use. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

10. **RESOLUTIONS (cont).**

Councilperson Dawson moved that the resolution be adopted.
Councilperson Coblentz seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-092

(5) Wire Road Multifamily. Performance residential development (16-unit multiple unit development). Property located at 652 Haley Lane.

This item was not considered because item 9c(5) was not adopted.

b. City Manager's contract addendum.

City Manager Crouch said this resolution authorizes an addendum to the city manager's contract.

Councilperson Witten moved that the resolution be adopted.
Councilperson Parsons seconded the motion, and the following members voted aye: Adams, Coblentz, Dawson, Moreman, Parsons, Witten and Mayor Anders. Voting no: none. Abstaining: Griswold.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-093

c. Vacation. NEOH Holdings, LLC and North of Harper Ave, LLC. The Boulevard Development. Public hearing required.

City Manager Crouch said this resolution assents to the vacation of a portion of unused alley for The Boulevard Development. She added that a public hearing was required.

Mayor Anders opened the public hearing.

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

Councilperson Moreman said the property has already been built on.

City Manager Crouch said there was a hold harmless agreement in place to do that work, but the improvements will have to be removed if the Council does not approve this vacation request.

Councilperson Witten moved that the resolution be adopted.
Councilperson Parsons seconded the motion, and all members voted aye.
Mayor Anders declared the resolution adopted.
RESOLUTION No. 23-094

11. **OTHER BUSINESS.**

None.

12**.** **CITIZENS' OPEN FORUM.**

Robert Wilkins (261 Denson Drive) spoke about zoning as it relates to short term rentals and families.

Councilperson Griswold said state law does not require the Council to offer opportunities for public input, but the City Council has given citizens the chance to speak at Council meetings beyond required public hearings for certain items.

13. **ADJOURNMENT.**

Councilperson Witten moved that the meeting be adjourned.
Councilperson Parsons seconded the motion, and all members voted aye.
The meeting was adjourned at 6:56 PM.

_____
Mayor

ATTEST:

_____
City Manager