

The City Council of the City of Auburn, Alabama, met in regular session on Tuesday, July 7, 2020, at 7:00 PM by means of the Zoom video conferencing web application.

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

Mayor Anders called the meeting to order.

2. **ROLL CALL.**

The following Councilpersons were present: Tommy Dawson, Steven Dixon, Kelley Griswold, Jay Hovey, Bob Parsons, Brett Smith, Connie Taylor, Beth Witten, and Mayor Ron Anders, Jr. Absent: None. Also present was City Manager Buston.

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

- a. Committee of the Whole.

Mayor Anders stated that at the Committee of the Whole meeting previously held the Council approved the minutes from the June 16 Committee of the Whole meeting and nominated individuals to serve on the Auburn Public Library Board, Cemeteries Advisory Board, Downtown Design Review Committee and Historic Preservation Commission.

- b. Announcements.

Mayor Anders discussed the following:

- He attended the memorial ride for Officer Will Beuchner on June 28.
- He spoke to the rotary club this week.
- He attended an event with Pastor Clifford Jones of Greater Peace Baptist Church in Opelika.
- He attended a prayer service in downtown last week.
- His ONE AUBURN initiative will kick off soon, with the One Read portion beginning July 15.

Councilperson Taylor invited the community to a unity rally at Boykin Community Center parking lot on Saturday, July 11 at 5 p.m.

Councilperson Witten said the Planning Commission interviews will be held on Tuesday, July 14.

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

None.

5. **CITY MANAGER'S COMMUNICATIONS.** City Manager Buston.

None.

6. **CONSIDERATION OF CONSENT AGENDA.**

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

Councilperson Dixon requested item 6f(3) be removed from the consent agenda.

Councilperson Griswold requested item 6h(3) be removed from the consent agenda.

Councilperson Smith moved that the items on the consent agenda be adopted.

Councilperson Witten seconded the motion, and all members voted aye.

Mayor Anders declared the consent agenda items adopted.

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

- a. Minutes. June 16, 2020. **APPROVED**
- b. Authorize demolition of dilapidated structure. 610 Clark Avenue.
Resolution No. 20-129
- c. Concurrence.
 - (1) Auburn Facility, LLC d/b/a/ Revere Plastics Systems, LLC. Refinance property owned by the Industrial Development Board. Property located at 204 Enterprise Drive. **Resolution No. 20-130**
 - (2) SiO2 Medical Products, Inc. Financing lease to expand and sell an industrial facility. Property located at 2425 Innovation Drive. **Resolution No. 20-131**
 - (3) SiO2 Medical Products, Inc. Financing lease to sell an industrial facility. Property located at 1117 W. Veterans Boulevard. **Resolution No. 20-132**
 - (4) Sodecia Automotive Auburn LP. Financing lease to sell an industrial facility. Property located at 2440 Innovation Drive. **Resolution No. 20-133**
- d. Tax abatements.
 - (1) Auburn Facility, LLC d/b/a/ Revere Plastics Systems, LLC. 204 Enterprise Drive. **Resolution No. 20-134**
 - (2) SiO2 Medical Products, Inc. 2425 Innovation Drive. **Resolution No. 20-135**
 - (3) SiO2 Medical Products, Inc. 1117 W. Veterans Boulevard.
Resolution No. 20-136
 - (4) SiO2 Medical Products, Inc. Address amendments. **Resolution No. 20-137**
- e. Community Development Block Grant (CDBG). Substantial Amendments to the 2015 – 2019 Consolidated Plan and 2019 Annual Action Plan and an amendment to the 2015 – 2019 Citizen Participation Plan in response to COVID-19.
Resolution No. 20-138
- f. Contracts.
 - (1) The Auburn Game Day Law Enforcement Corporation and Area Law Enforcement Agencies. Supplemental law enforcement services. Auburn University sporting events. August 1, 2020 – July 31, 2021.
Resolution No. 20-139
 - (2) Auburn University. Supplemental law enforcement services. Auburn University sporting events. August 1, 2020 – July 31, 2021.
Resolution No. 20-140
 - (3) JLD Enterprises, LLC. Renew Opelika Road - Phase 4 Project. \$1,958,194.01.

This item was removed from the consent agenda.

- g. Easements and warranty deeds.
 - (1) North of Harper Avenue, LLC. Accept various drainage, utility, sidewalk and lighting easements. First Revision of Lot 2, Harper Avenue Subdivision, Fifth Addition. Property located on Harper Avenue at North Ryan Street.
Resolution No. 20-142

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

- (2) Wanda L. Bailey. Accept a drainage, utility and temporary construction easement and approve compensation of \$5,600. Property located at 652 Ogletree Road. Ogletree Road Culvert Replacement Project.
Resolution No. 20-143
- (3) Broadview Properties Family Limited Partnership. Accept a lighting easement. Property located at 832 West Glenn Avenue.
Resolution No. 20-144
- (4) ExchangeRight Net Leased Portfolio 5 DST. Accept a permanent street, sidewalk, lighting, drainage and utility easement and temporary construction easement and approve compensation of \$7,800. Property located at 1106 Opelika Road. Renew Opelika Road – Phase 4 Project.
Resolution No. 20-145
- (5) Accept warranty deed and approve compensation of \$4,400. Beverly Jones Frazier, William Wayne Frazier, III, Mary Kathryn Frazier and Ellis Benjamin Frazier. Property located near the southeast corner of the intersection of South Gay Street and Reese Avenue. Project No. STPOA – 4116 (250) Resurfacing, Widening, Traffic Signals, and Drainage Improvements on South College Street, Samford Avenue, Gay Street and Reese Avenue.
Resolution No. 20-146
- (6) North Auburn Housing Development Corporation. Execute a statutory warranty deed. Lots 4 and 5 of Tucker Heights Subdivision.
Resolution No. 20-147

h. Board appointments.

- (1) Auburn Public Library Board. One (1) vacancy. Term begins immediately and ends April 14, 2024. **Resolution No. 20-148 (Marcia Boosinger)**
- (2) Cemeteries Advisory Board. One (1) vacancy. Term begins immediately and ends April 14, 2024. **Resolution No. 20-149 (Mabel Robinson)**
- (3) Downtown Design Review Committee. One (1) vacancy. Term begins immediately and ends April 17, 2026.

This item was removed from the consent agenda.

- (4) Historic Preservation Commission. Three (3) vacancies. Terms begin immediately and end April 20, 2023. **Resolution No. 20-151 (Steve Manos, Lori Sadler, Stephen Wadsworth)**

f. Contracts.

- (3) JLD Enterprises, LLC. Renew Opelika Road - Phase 4 Project. \$1,958,194.01.

City Manager Buston said this item authorizes the City Manager to execute a contract with JLD Enterprises, LLC for the Renew Opelika Road – Phase 4 Project.

Councilperson Dixon asked for an explanation of the project.

City Manager Buston and City Engineer Alison Frazier explained the project.

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

Councilperson Witten moved that the resolution be adopted.
Councilperson Smith seconded the motion and all members voted aye.
Mayor Anders declared the resolution adopted.

RESOLUTION No. 20-141

h. Board appointments.

- (3) Downtown Design Review Committee. One (1) vacancy. Term begins immediately and ends April 17, 2026.

City Manager Buston said this resolution appoints Dan Bennett to the Downtown Design Review Committee.

Councilperson Griswold said he wanted the vote for this specific item to be on the record.

Councilperson Witten moved that the resolution be adopted.
Councilperson Smith seconded the motion the following members voted aye: Dawson, Dixon, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: Griswold.
Mayor Anders declared the resolution adopted.

RESOLUTION No. 20-150

7. **ORDINANCES.**

- a. Traffic control signs and devices. Establish one (1) stop sign and one (1) 25 MPH sign in Longleaf Crossing, Phase 5. Unanimous consent necessary.

City Manager Buston said this ordinance establishes one stop sign and one 25 MPH sign in Longleaf Crossing, Phase 5.

Councilperson Dixon moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Parsons seconded the motion.

Upon roll call vote, the following Council members voted to approve unanimous consent: Dawson, Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: None.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Councilperson Dawson moved that the ordinance be adopted.

Councilperson Smith seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Dawson, Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: None. Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3239

- b. Working capital loan interest subsidy program. AuburnBank. Indian Pines Day School. Unanimous consent necessary. Public hearing required.

City Manager Buston said this ordinance authorizes an Economic Development Commercial Loan Interest Subsidy Agreement between the City of Auburn and AuburnBank. He added that a public hearing was required.

Councilperson Dixon moved that unanimous consent be granted to consider the ordinance on its first reading.

Councilperson Dawson seconded the motion.

7. ORDINANCES (cont).

Upon roll call vote, the following Council members voted to approve unanimous consent: Dixon, Griswold, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None. Abstaining: Hovey.

Mayor Anders declared unanimous consent granted and the ordinance ready for adoption.

Mayor Anders opened the public hearing.

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

Councilperson Smith moved that the ordinance be adopted.

Councilperson Dixon seconded the motion.

Upon roll call vote, the following Council members voted to adopt the ordinance: Dixon, Griswold, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None. Abstaining: Hovey.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3240

8. RESOLUTIONS.

None.

9. OTHER BUSINESS.

Councilperson Taylor asked about the procedure for requesting sidewalk on both sides of Drake Avenue between Gay Street and Ross Street.

City Manager Buston said the budget process is coming up and staff will review sidewalk requests from a needs-perspective and make recommendations, but the Council is always able to change project funding recommendations through the budgeting process.

Councilperson Witten said that the area is in her ward, is aware of the concern, and believes there are some improvements planned for the Gay/Drake intersection in the CIP but wasn't sure about the extension of sidewalks. She also said she will further explore the need with Ms. Taylor and the City Manager's office.

10. CITIZENS' OPEN FORUM.

The following individuals spoke in favor of implementing a mask requirement in the city:

- Annie Campbell (108 Biggin)
- Anton DiSclafani (724 Petrie Road)
- Chris Newland (531 Hamilton Hills Court)
- Kate Finkel (1229 Hickory Lane)
- Kim White (228 Conrey Drive)
- Elizabeth Hill (274 Bragg Avenue)
- Adam Jortner (778 North Cary Drive)
- Kara Newby (1300 Hickory Lane)
- Kerri Munoz (1128 Grayton Court)
- Matt Carter (1586 Marley Lane)
- Gabriel Au (2120 Wedgewood Court)
- Ashely Aston (1203 Jenkins Drive)
- Chauncey Holder (6962 AL HWY 147 North)

Terry Buford (4636 US Hwy 29 South) spoke about the Sand Hill Recycling Center near his house.

10. CITIZENS' OPEN FORUM (cont).

Mayor Anders said he would make some calls to the Governor's Office and the Alabama Department of Public Health to determine what their current plans are regarding a potential statewide mask mandate. He also said that he would call Mayor Gary Fuller and Probate Judge Bill English to determine what actions they are contemplating for Opelika and Lee County. He reported that the Big 10 Mayors had asked that Governor Ivey consider implementing a statewide mask mandate for indoor mask usage because it is simpler, easier to enforce and more understandable for citizens than creating ordinances city by city.

Mayor Anders asked City Manager Buston about the process for a special called meeting of the City Council to discuss a mask ordinance.

City Manager Buston said that the City Council does not have the authority to implement a mask ordinance without the authorization of the Alabama Department of Public Health and the Lee County Department of Health and that those agencies would need to be contacted along with Opelika and Lee County to determine their plans. He further explained that it would also take several days to draft an ordinance and contact those agencies.

Mayor Anders said he would proceed with making contacts that were needed and that he would reach back out to the City Council by the end of the week to schedule a meeting to discuss a draft ordinance.

The Council discussed the possibility of an ordinance requiring masks and asked City Manager Buston some questions.

Councilperson Griswold acknowledged that Council members had received correspondence from citizens on both sides of the issue.

11. ADJOURNMENT.

Councilperson Dawson moved that the meeting be adjourned.

Councilperson Hovey seconded the motion, and all members voted aye.

The meeting was adjourned at 8:11 PM.

Mayor

ATTEST:

City Manager