

The City Council of the City of Auburn, Alabama, met in regular session on Tuesday, March 16, 2021, at 7:06 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 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 meeting previously held the Council approved the minutes from the March 2 Committee of the Whole meeting, nominated individuals to the East Alabama Mental Health Board of Directors, Auburn Public Library Board and the West Pace Village Improvements District Board of Directors.

- b. Announcements.

Mayor Anders stated the following:

- Bark in the Park is Saturday, March 20.
- The annual East Egg Hunt is Saturday, April 3.
- The Wright Street Parking Deck project is moving along.
- East Alabama Medical Center is extending the vaccination clinic through the end of May.
- He told everyone to be weather aware tomorrow, March 17.

5. **AUBURN UNIVERSITY COMMUNICATIONS.**

AU SGA Director of City Relations Abby Ronson updated the Council about events at Auburn University.

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

None.

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

None.

8. **CONSIDERATION OF CONSENT AGENDA.**

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

Councilperson Taylor asked that items 8d and 8e(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.

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

- a. Minutes. March 2, 2021. **Approved**
- b. Tax abatement extension. Donghee Alabama, LLC. **Resolution No. 21-053**
- c. Alcohol beverage licenses.
 - (1) Ithaka Hospitality Partners Auburn Beverage, LLC d/b/a The Hotel at Auburn University. 160 – Special Retail – More Than 30 Days alcohol beverage license. All events from April 1, 2021 until June 30, 2026. Property located at 910 South College Street (Jay and Susie Gogue Performing Arts Center). **Approved**
 - (2) Rob’s Ribs, LLC d/b/a Rob’s Ribs. 020 – Restaurant Retail Liquor alcohol beverage license. Property located at 307 North College Street. **Approved**
- d. Authorize application submission. State of Alabama Community Development Block Grant – CV Program FY 2020 application.

This item was removed from the consent agenda.

- e. Contracts and agreements.
 - (1) Alabama Emergency Management Agency Division D. Adopt the East Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan: Phase One June 2020. **Resolution No. 21-055**
 - (2) Stivers Ford. Purchase one (1) Ford F-250 pickup truck. Parks and Recreation Department. \$55,147. **Resolution No. 21-056**
 - (3) Section 108 Loan Authorization. Auburn Housing Authority. Ridgcrest redevelopment.

This item was removed from the consent agenda.

- f. Easements.
 - (1) Eastbrook Homes Southern, Inc. Accept various drainage and utility easements and sanitary sewer easements. Preserve Subdivision, Phase 1B, Redivision of Lot 226 and Lot 18. Property located at 2024 Sequoia Drive. **Resolution No. 21-058**
 - (2) Links Crossing, LLC. Accept various drainage and utility easements and rights-of-way. Links Crossing Subdivision, Phase 3. Property located at the western terminus of Westover Street. **Resolution No. 21-059**
 - (3) Links Crossing, LLC. Accept various drainage and utility easements and rights-of-way. Links Crossing Subdivision, Phase 3A. Property located at the western terminus of Westover Street. **Resolution No. 21-060**
- g. Board appointments.
 - (1) East Alabama Mental Health Center Board of Directors. One (1) position. Term begins April 1, 2021 and ends March 31, 2027. **Resolution No. 21-061 (Sheila Holmes)**
 - (2) Auburn Public Library Board. One (1) position. Term begins April 15, 2021 and ends April 14, 2025. **Resolution No. 21-062 (Bonnie MacEwan)**

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

- (3) West Pace Village Improvement District Board of Directors. One (1) position. Unexpired term begins immediately and ends September 15, 2024. **Resolution No. 21-063 (Barry Jones)**

- d. Authorize application submission. State of Alabama Community Development Block Grant – CV Program FY 2020 application.

City Manager Crouch said this resolution authorizes submission of the State of Alabama Community Development Block Grant – CV Program FY 2020 application.

Councilperson Taylor asked questions about the application.

Community Services Director Al Davis answered the questions.

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. 21-054

- e. Contracts and agreements.

- (3) Section 108 Loan Authorization. Auburn Housing Authority. Ridgecrest redevelopment.

City Manager Crouch said this resolution authorizes a Section 108 Loan for the Auburn Housing Authority.

Councilperson Taylor asked questions about relocation of the residents while the redevelopment takes place.

Director of the Auburn Housing Authority Sharon Tolbert explained that they will be relocated by the housing authority at no cost to the residents.

David Garcia, a representative of the development company, spoke about the project.

Councilperson Taylor said she was thankful that there will be affordable homes in Ward 1.

Councilperson Smith moved that the resolution be adopted.

Councilperson Taylor seconded the motion and all members voted aye.

Mayor Anders declared the resolution adopted.

RESOLUTION No. 21-057

9. **ORDINANCES.**

- a. Traffic control signs and devices. Unanimous consent necessary.

- (1) Establish four (4) stop signs in Brentwood Subdivision, Phases 1 and 2.

City Manager Crouch said this ordinance establishes stop signs in Brentwood Subdivision, Phases 1 and 2.

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 Hovey seconded the motion.

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

9. **ORDINANCES (cont).**

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, Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3277

- (2) Establish two (2) stop signs in Farmville Lakes Subdivision, Phases 3B and 3C.

City Manager Crouch said this ordinance establishes stop signs in Farmville Lakes Subdivision, Phases 3B and 3C.

Councilperson Smith introduced the ordinance.

City Manager Crouch read the ordinance by title.

Councilperson Smith 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 to adopt the ordinance: Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3278

- (3) Establish one (1) stop sign in The Preserve Subdivision, Phase 4A-2.

City Manager Crouch said this ordinance establishes a stop sign in The Preserve Subdivision, Phase 4A-2.

Councilperson Griswold introduced the ordinance.

City Manager Crouch read the ordinance by title.

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

Councilperson Smith 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 to adopt the ordinance: Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson, Dixon and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3279

- (4) Establish three (3) stop signs in Wimberly Station Subdivision, Phase 3-B.

City Manager Crouch said this ordinance establishes stop signs in Wimberly Station Subdivision, Phase 3-B.

9. **ORDINANCES (cont).**

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 Smith 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 to adopt the ordinance: Hovey, Parsons, Smith, Taylor, Witten, Dawson, Dixon, Griswold and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3280

- (5) Establish three (3) stop signs in Woodward Oaks Subdivision, Phase 3.

City Manager Crouch said this ordinance establishes stop signs in Woodward Oaks Subdivision, Phase 3.

Councilperson Griswold introduced the ordinance.

City Manager Crouch read the ordinance by title.

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

Councilperson Smith 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 to adopt the ordinance: Parsons, Smith, Taylor, Witten, Dawson, Dixon, Griswold, Hovey and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3281

- (6) Establish two (2) stop signs and one (1) 25 MPH sign in Owens Crossing.

City Manager Crouch said this ordinance establishes stop signs and one 25 MPH sign in Owens Crossing.

Councilperson Griswold introduced the ordinance.

City Manager Crouch read the ordinance by title.

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

Councilperson Smith 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.

9. **ORDINANCES (cont).**

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

ORDINANCE NO. 3282

- b. Ad valorem property taxes. Authorization for Lee County Revenue Commissioner to collect. Unanimous consent necessary.
 - (1) City taxes – 5 mills for general purposes (General Fund). City taxes – 5 mills for capital projects debt repayment (Special Five Mill Tax).

City Manager Crouch said this ordinance is for the annual renewal of the 5 mills ad valorem property tax for the City of Auburn and emphasized that these are not new taxes but simply renewals of current taxes.

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 Griswold 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 to adopt the ordinance: Taylor, Witten, Dawson, Dixon, Griswold, Hovey, Parsons, Smith and Mayor Anders. Voting nay: None. Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3283

- (2) School taxes – 11 mills for educational purposes (Special School Tax Fund).

City Manager Crouch said this ordinance is for the annual renewal of the 11 mills ad valorem special school property tax.

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 Hovey 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 to adopt the ordinance: Witten, Dawson, Dixon, Griswold, Hovey, Parsons, Smith, Taylor and Mayor Anders. Voting nay: None. Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3284

- (3) School taxes – 5 mills for educational purposes (Special School Tax Fund).

9. **ORDINANCES (cont).**

City Manager Crouch said this ordinance is for the annual renewal of the 5 mills ad valorem special school property tax.

Councilperson Smith introduced the ordinance.

City Manager Crouch read the ordinance by title.

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

Councilperson Parsons 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 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. 3285

- c. Annexations. Planning Commission recommendations. Unanimous consent necessary.

- (1) Malcolm and Wanda Marsh. Approximately 2.81 acres. Property located at 2425 Lee Road 809 (Pinewood Place).

City Manager Crouch said this ordinance annexes approximately 2.81 acres.

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 to adopt the ordinance: Dixon, Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson and Mayor Anders. Voting nay: None.

Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3286

- (2) Jamie H. Freeman. Approximately 0.88 acres. Property located at 2405 Lee Road 809 (Pinewood Place).

City Manager Crouch said this ordinance annexes approximately 0.88 acres.

Councilperson Smith introduced the ordinance.

City Manager Crouch read the ordinance by title.

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

Councilperson Hovey seconded the motion.

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

9. **ORDINANCES (cont).**

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 to adopt the ordinance: Griswold, Hovey, Parsons, Smith, Taylor, Witten, Dawson, Dixon and Mayor Anders. Voting nay: None. Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3287

- d. Zoning. Planning Commission recommendations. Short term rental regulations. Unanimous Consent Necessary. Public hearing required.

City Manager Crouch said this ordinance adopts regulations for short term rentals. She added that a public hearing was required.

Councilperson Dixon recused himself and left the meeting at 7:40 p.m.

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

Councilperson Hovey seconded the motion.

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

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

Mayor Anders opened the public hearing.

The following individuals supported the proposed ordinance:

- Joshua Poole (334 Hickorywoods Dr.) said he feels there is a lack of understanding about short-term rentals and that people should be allowed to share their homes to guests.
- Brian Mitchell (432 Breckenridge Court) said he supports regulations that allow people to visit Auburn and rent short-term in any part of town, which in turn would benefit Auburn's economy.
- William Lowry (224 W. Chewacla Drive) said the regulations aren't perfect but could help, especially in that it will stop non-primary rentals in Neighborhood Conservation.
- Carolyn Smith (420 Hare Avenue) said that people rely on the extra income from renting their homes to pay for their homes.
- Jonathan Haack (365 Gardner Drive) said he and his wife have two rentals and have used the income to improve their property in Auburn.

The following individuals opposed the proposed ordinance:

- Chip Townsend (516 S. Gay Street) said short-term rentals should not be allowed in Neighborhood Conservation zones. He detailed concerns regarding the proposed regulations in regards to homestays and how many days they could operate a year as well as how long a rental could last.
- Matt Laney (2406 Antler Ridge Drive) cited issues he had with the proposed ordinance, such as the prohibition of private events at short-term rentals and the two-strike penalty system.
- Viena Louise Katainen (550 S. Gay Street) opposed the proposed ordinance, especially its proposal to allow homestays in Neighborhood Conservation, saying she supports the original proposed ordinance prior to the Feb. 16 amendments.
- Susan Jones (365 Payne Street) said short-term rentals should not be allowed in Neighborhood Conservation zones, saying it will take away from the family-oriented, community-feel.

9. **ORDINANCES (cont).**

- Richard Brinker (436 Summertrees Drive) said the proposed ordinance undermines the work of the Short-Term Rental Task Force and the Planning Commission as well as the public that gave input during the years-long process.
- Ray Askew (548 Heard Avenue) said short-term rentals should not be allowed in Neighborhood Conservation because it could be a slippery slope to opening Neighborhood Conservation up to other commercial activity.
- Bill Caskey (521 E. Samford Avenue) said the proposed ordinance disregards the work of the task force and Planning Commission, as well as the public input that was received over the years and that commercial activity should not be allowed in Neighborhood Conservation.
- Conner Bailey (323 Brookside Drive) said short-term rentals should not be allowed in Neighborhood Conservation.
- Charles Neely (415 Hare Avenue) said short-term rentals should not be allowed in Neighborhood Conservation.
- Margaret Wright (500 Brookwood Drive) said short-term rentals should not be allowed in Neighborhood Conservation.
- Carolyn Carr (342 Payne Street) said her neighborhood supports the initial proposed ordinance from the Feb. 16 meeting that prohibited all short-term rentals in Neighborhood Conservation.
- Linda Dean (474 Scott Street) said she supports the original ordinance from the Feb. 16 meeting and that not all zones are equal.
- Bruno Ulrich (1518 Stuart Circle) said he supports the initial proposed ordinance from the Feb. 16 meeting except for the lack of a limit for the number of guests.
- David Hill (370 E. Thach Avenue) said the proposed ordinance would commercialize Neighborhood Conservation and negatively impact local hotels and property owners adjacent to short-term rentals.
- Martha Thomas (226 Marion Circle) said short-term rentals should not be allowed in Neighborhood Conservation.

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

Councilperson Witten moved that the ordinance be adopted.

Councilperson Hovey seconded the motion.

Mayor Anders proposed to amend the ordinance to revert back to the original ordinance proposed at the February 16, 2021 City Council meeting, as it applies to which zones do not allow homestays.

Upon the vote for the amendment the following Council members voted aye: Dawson, Griswold, Parsons, Taylor and Mayor Anders. Voting nay: Hovey, Smith and Witten.

Mayor Anders declared the amendment passed.

Upon roll call vote, the following Council members voted to adopt the ordinance as amended: Parsons, Taylor, Dawson, Griswold and Mayor Anders. Voting nay: Hovey, Smith and Witten
Mayor Anders declared the ordinance adopted.

ORDINANCE NO. 3288

Councilperson Dixon returned to the meeting at 10:14 p.m.

10. **RESOLUTIONS.**

- a. Conditional use approval. Planning Commission recommendations. Public hearings required.

- (1) Brett Basquin on behalf of Savannah & Williamsburg, LLC. Performance residential development (multiple unit development) in the Comprehensive Development District (CDD) zoning district. East Veterans Bungalows. Property located at 160 East Veterans Boulevard.

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

Councilperson Dawson moved that the resolution be adopted.
Councilperson Smith seconded the motion.

Mayor Anders opened the public hearing.

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

Mayor Anders called for a vote and all members voted aye.
Mayor Anders declared the resolution adopted.

Resolution No. 21-064

- (2) Andrew Parmer on behalf of Mike and Frances Thrower. Performance residential development (four lot townhome subdivision) in the Redevelopment District (RDD) zoning district. Martin Avenue Townhomes. Property located at 456 Martin Avenue.

City Manager Crouch said this resolution authorizes conditional use approval for a performance residential development (four lot townhome subdivision). She added that a public hearing was required.

Councilperson Smith moved that the resolution be adopted.
Councilperson Parsons seconded the motion.

Mayor Anders opened the public hearing.

Ledge Nettles (1899 W. Farmville Road) said academic detached dwelling units are allowed in this zone and they thought the townhomes would be a good fit in this location.

The Council asked questions about the project.

Acting Planning Director Katie Robison answered the council's questions.

Andrew Parmer (address not given) spoke about the project and answered the Council's questions about the project.

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

Councilperson Parsons said residents had expressed concerns about the project and moved to postpone until April 6, 2021.
Councilperson Taylor seconded the motion.

Mayor Anders called for a vote and the following members voted aye: Griswold, Hovey, Parsons, Taylor, Witten and Mayor Anders. Voting nay: Dawson, Dixon and Smith.
Mayor Anders declared the resolution postponed until April 6, 2021.

10. RESOLUTIONS (cont).

- (3) Sharon Tolbert on behalf of Auburn Housing Authority. Institutional uses (community housing services) and office use in the Redevelopment District (RDD) zoning district. Ridgecrest Redevelopment. Property located at 945 North Donahue Drive.

City Manager Crouch said this resolution authorizes conditional use approval for Institutional uses (community housing services) and office use. She added that a public hearing was required.

Councilperson Dawson moved that the resolution be adopted.
Councilperson Griswold seconded the motion.

Mayor Anders opened the public hearing.

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

Mayor Anders called for a vote and all members voted aye.
Mayor Anders declared the resolution adopted.

Resolution No. 21-065

11. OTHER BUSINESS.

None.

12. CITIZENS' OPEN FORUM.

Mayor Anders read instructions for Citizens' Open Forum.

Virginia Jones (757 Sherwood Drive) expressed concerns about the accessibility of virtual council meetings.

Councilperson Taylor asked Community Services Director Al Davis when CARES Act money will be available from the state.

Mr. Davis said the applications are due on April 1 and hopefully the funds will be released by May.

Councilperson Taylor asked when the short-term rental regulations will be effective.

City Manager Crouch said the ordinance must be published by law and added that it will be 90 days before it will be fully implemented.

13. ADJOURNMENT.

Councilperson Smith moved that the meeting be adjourned.
Councilperson Dawson seconded the motion, and all members voted aye.
The meeting was adjourned at 10:39 PM.

Mayor

ATTEST:

City Manager