

OXFORD CITY COUNCIL
MINUTES OF MEETING

DATE: August 12, 2014
TIME: 7:00 P.M.
PLACE: Oxford City Hall
PRESENT: Mayor Leon Smith
Mr. Steven Waits, Council President
Mr. Phil Gardner, Council Member
Mr. Mike Henderson, Council President Pro Tempore
Mrs. Charlotte Hubbard, Council Member
Mr. Chris Spurlin, Council Member

The meeting was called to order by Council President Steven Waits and Shirley Henson, City Clerk of the City, served as the Clerk of the meeting.

Greg Turner of First Baptist Church of Oxford gave the invocation.

Mr. Waits thanked Mr. Turner for mentioning Earl Haynes. Mr. Haynes is a former Assistant Fire Chief and if nothing happens he will be going to be with the Lord in the morning. Please pray for him and his family. Perry Gardner a former firefighter passed away this week. I know this has been tough on the Fire Department and we will be thinking about you as well.

PLEDGE OF ALLEGIANCE

Mr. Waits asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Waits stated each member of the Council had previously received a copy of the minutes of the July 24, 2014 regular meeting. Mr. Henderson made a motion that the minutes be approved as presented. The motion was seconded by Mr. Spurlin.

Mr. Waits called for any comments or questions; there being none, on roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Abstain", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried.

OLD BUSINESS

Mr. Waits called for any old business; there was none.

NEW BUSINESS

Public Hearing

Mr. Waits opened the public hearing to receive comments on the request of the City of Oxford to zone the property located at 954 Leon Smith Parkway to FC (Flood Control and Conservation District). Mr. Waits declared the public hearing open.

Mr. Waits asked if there was anyone here to speak for or against this. Mr. Waits stated 954 Leon Smith Parkway is better known as our recreational complex.

Mr. Waits declared the public hearing closed.

Ordinance No. 2014-09 – Ordinance to zone the property located at 954 Leon Smith Parkway to FC (Flood Control and Conservation District).

Mr. Gardner made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2014-09 to be adopted at this meeting. The motion was seconded by Mrs. Hubbard.

On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Mr. Henderson made a motion to adopt Ordinance No. 2014-09. The motion was seconded by Mrs. Hubbard.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Ordinance No. 2014-10 – Ordinance annexing the property of Barbara Crow of 2107 Lark Lane, Talladega County, containing 0.82 acres, more or less.

Mrs. Hubbard made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2014-10 to be adopted at this meeting. The motion was seconded by Mr. Gardner.

On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Mr. Waits stated there is some confusion because we are doing things differently. Basically we are annexing the property and having public hearings to look at the zoning.

Mr. Henderson made a motion to adopt Ordinance No. 2014-10. The motion was seconded by Mrs. Hubbard.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Public Hearing

Mr. Waits opened the public hearing to receive comments on the request of Barbara Crow to zone the property located at 2107 Lark Lane to R-1 (Residential). Mr. Waits declared the public hearing open.

Mr. Waits asked if there was anyone to speak for or against this zoning. There were none.

Mr. Waits declared the public hearing closed.

Ordinance No. 2014-11 – Ordinance to zone the property located at 2107 Lark Lane to R-1 (Residential).

Mr. Gardner made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2014-11 to be adopted at this meeting. The motion was seconded by Mrs. Hubbard.

On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Mrs. Hubbard made a motion to adopt Ordinance No. 2014-11. The motion was seconded by Mr. Gardner.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Ordinance No. 2014-12 – Ordinance annexing the property of Robert and Vinita Lowery of 2804 Lark Lane, Talladega County, containing 3.8 acres, more or less.

Mrs. Hubbard made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2014-12 to be adopted at this meeting. The motion was seconded by Mr. Gardner.

On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Mr. Spurlin made a motion to adopt Ordinance No. 2014-12. The motion was seconded by Mr. Henderson.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard “Yea”, Mr. Gardner “Yea”, Mr. Spurlin “Yea”, Mr. Henderson “Yea” and Mr. Waits “Yea”. The motion carried unanimously.

Public Hearing

Mr. Waits opened the public hearing to receive comments on the request of Robert and Vinita Lowery to zone the property located at 2804 Lark Lane to R-1 (Residential). Mr. Waits declared the public hearing open.

Mr. Waits asked if there was anyone to speak for or against this zoning. There were none.

Mr. Waits asked if the Lowery's were here. We are sorry for all of the confusion tonight.

Mr. Waits declared the public hearing closed.

Ordinance No. 2014-13 – Ordinance to zone the property located at 2804 Lark Lane to R-1 (Residential).

Mrs. Hubbard made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2014-13 to be adopted at this meeting. The motion was seconded by Mr. Gardner.

On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Spurlin made a motion to adopt Ordinance No. 2014-13. The motion was seconded by Mr. Henderson.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Waits stated Mr. and Mrs. Lowery welcome to Oxford and thank you for being here tonight.

Resolution No. 2014-55 – Resolution where the City of Oxford wishes to engage the services of East Alabama Regional Planning and Development Commission to undertake FHWA mapping for the City and to utilize the computer mapping program in support of its comprehension planning and mapping program with a local matching funds of \$7,000.00 and a total project cost of \$35,000.00 under Section 112.

Mr. Waits recognized Bill Curtis with East Alabama Regional Planning and Development Commission for any comments.

Mr. Henderson made a motion to approve Resolution No. 2014-55. The motion was seconded by Mrs. Hubbard.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Resolution No. 2014-56 – Approval of Joe Bennett lease for Cross Country.

Mr. Waits stated this is a lease agreement. We utilize property for our cross country events for our recreational department. We have been blessed to have the Ohio Valley Conference choose the City of Oxford for several years to host their cross country events. We will have colleges from all across the southeast come and use these facilities. Mr. Bennett has some property that we will lease for these events and other school events.

Mr. Henderson made a motion to approve Resolution No. 2014-56. The motion was seconded by Mrs. Hubbard.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Resolution No. 2014-57 – Acceptance of deeds for roadway at Jack’s and Dollar General locations.

Mr. Waits stated this is clearing up some deeds and ownership of that road that runs between Jack’s and Dollar General and comes out at Red Lobster.

Mr. Spurlin made a motion to approve Resolution No. 2014-57. The motion was seconded by Mr. Gardner.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Waits stated the next item is not on the agenda but we will be adding it.

Resolution No. 2014-58 – Extension of contract with Shooters Alley, LLC.

Mr. Waits stated this is a real estate contract and we are wanting to extend the termination date to September 15th. The contract was initially set to expire on August 15th. We are basically adding another 30 days.

Mrs. Hubbard made a motion to approve Resolution No. 2014-58. The motion was seconded by Mr. Spurlin.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Waits stated the next item we are going to add to the agenda.

Resolution No. 2014-59 – Resolution for a license agreement with Alabama Power Company.

Mr. Waits stated this is an agreement relating to the recreational complex for a license for property under their lines.

Mr. Gardner made a motion to approve Resolution No. 2014-59. The motion was seconded by Mrs. Hubbard.

Mr. Waits asked Mr. Gardner to share some information about this.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Waits stated the next item we are going to add to the agenda.

Resolution No. 2014-60 – Anniston Water Department Easement approval.

Mr. Waits stated this is related to the new Fire Station in Bynum. This is easement is giving us the ability to add water lines. This is a resolution that we actually passed at the last meeting but we have received some more detailed information that we basically wanted to ratify.

Mrs. Hubbard made a motion to approve Resolution No. 2014-60. The motion was seconded by Mr. Gardner.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

Mr. Waits stated the next item we are going to add to the agenda. Mr. Waits recognized Mrs. Hubbard for Resolution No. 2014-61.

Resolution No. 2014-61 – Resolution donating \$200.00 to the Renew Our Rivers Clean Up Day which is sponsored by the Choccolocco Creek Watershed Alliance to be conducted Saturday, October 11th.

Mrs. Hubbard stated this donation will be for t-shirts and lunch for the volunteers.

Mrs. Hubbard made a motion to approve Resolution No. 2014-61. The motion was seconded by Mr. Spurlin.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

COUNCIL REPORTS/COMMENTS

Mr. Henderson stated I got to attend the Teacher Institution today. It was a good meeting and I enjoyed it. I got to hear our new piano being played and it sounded really good. Just want to remind everyone that our schools start back tomorrow. So please be careful and look out for the young children and be patient going down the highways. Chief Partridge will appreciate it if everyone will avoid a bunch of accidents. Look out for the school buses. The first football game is next week so we all need to get out and support the Yellow Jackets. They are all excited about a new school year. Mr. Waits' daughter is a senior this year so he is getting old.

Mr. Waits stated he said I am getting old and you don't have any hair. I think we are going to have to gang up on him.

Mr. Henderson stated I think we need to congratulate two of our fellow Council members. Mr. Spurlin and Mr. Gardner received their Advanced Municipal Certifications today.

Mr. Waits stated that is a lot of work to do that so congratulations. I appreciate you investing the time for that commitment.

MAYOR'S COMMENTS

Mayor Smith stated he has no comments.

Visitors

Mr. Waits called for any comments or questions from anyone present.

Mr. Dennis Hanson addressed the Council regarding a records request he submitted. Mr. Waits stated they would have to speak to the City Attorney, Bruce Rice after the meeting. We are going to have an Executive Session right after the meeting and we are going to come back we can talk then or we can set something up with at another time.

LaDon Herring of 912 Edgewood Drive addressed the Council regarding storm clean up. Mr. Waits stated we met on that last week and I think we are in the same ballpark as you are on that. We are in discussions about that right now.

Mr. Waits stated we are blessed with all worlds because we have an outstanding first class high tech Police Department and the Chief really makes sure we keep it personal enough that it is still a family and friends in this town. It is unique to have both of those. I appreciate you saying that.

Mr. Waits stated we are about to vote to go into Executive Session. We will come back in the Council Chambers and if there is any action to be taken we will take or otherwise we will adjourn.

Mr. Waits stated the reason we will be going into Executive Session is for potential and real litigation and real estate matters. I am going to ask our City Attorney to certify that.

Mr. Henderson made a motion to go into Executive Session. The motion was seconded by Mr. Spurlin.

Mr. Waits called for comments or questions. On roll call the votes of the Council were as follows: Mrs. Hubbard "Yea", Mr. Gardner "Yea", Mr. Spurlin "Yea", Mr. Henderson "Yea" and Mr. Waits "Yea". The motion carried unanimously.

There being no further business to come before the Council, Mr. Spurlin made a motion to adjourn. The motion was seconded by Mr. Henderson.

Shirley Henson, City Clerk

Steven Waits, Council President