

OXFORD CITY COUNCIL
MINUTES OF MEETING

DATE: August 8, 2017
TIME: 6:30 P.M.
PLACE: Oxford City Hall
PRESENT: Mayor Alton Craft
Mr. Chris Spurlin, Council President
Mr. Steven Waits, Council President Pro Tempore
Mrs. Charlotte Hubbard, Council Member
Mr. Phil Gardner, Council Member
Mr. Mike Henderson, Council Member

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

Mr. Spurlin gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Mr. Spurlin stated each member of the Council had previously received a copy of the minutes of the July 25, 2017 meeting. Mr. Henderson made a motion that the minutes be approved as presented. The motion was seconded by Mrs. Hubbard.

Mr. Spurlin 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 “Yea”, Mr. Henderson “Yea”, Mr. Waits “Yea” and Mr. Spurlin “Yea”. The motion carried.

OLD BUSINESS

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

NEW BUSINESS

Ordinance No. 2017-14 – Ordinance annexing the property of Jerome Watts of 365 and 643 H J Bentley Parkway, Talladega County, containing 6.80 acres, more or less.

Mr. Spurlin called for a motion to suspend the rules for unanimous consent. There were no motion. This ordinance is tabled.

Ordinance No. 2017-15 – Ordinance to zone the property located at 365 and 643 H J Bentley Parkway to R-1 (Residential).

Mr. Spurlin called for a motion to suspend the rules for unanimous consent. There were no motion. This ordinance is tabled.

Mr. Spurlin stated that for an ordinance to be considered at the first meeting it is brought up all five members of the Council would need to give unanimous consent. We did not get unanimous consent therefore it is tabled. We have some issues that will need to be worked on before we bring this up.

Public Hearing

Mr. Spurlin opened the public hearing to receive comments on the request of Benton-Norby LLC to re-zone 7.21 acres located at 41, 67, 81, 90, 100 and 110 Larry Gardner Drive from GM (General Manufacturing) to GB (General Business). Mr. Spurlin declared the public hearing opened.

Mr. Spurlin asked if there was anyone there to speak for or against the re-zoning. There were none.

Mr. Spurlin declared the public hearing closed.

Ordinance No. 2017-16 – Ordinance to re-zone 7.21 acres located at 41, 67, 81, 90, 100 and 110 Larry Gardner Drive from GM (General Manufacturing) to GB (General Business).

Mr. Waits made a motion to suspend the rules for immediate consideration permitting Ordinance No. 2017-16 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. Henderson “Yea” and Mr. Spurlin “Yea”. The motion carried.

Mr. Waits made a motion to approve Ordinance No. 2017-16. The motion was seconded by Mrs. Hubbard.

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

Public Hearing

To receive comments on the condemnation sent to Freddy and Nancy Noell and Citi Mortgage Inc. for a structure located at 261 Reaves Drive to show cause, if any, as to why the structure located on the property should not be condemned.

Mr. Spurlin recognized Mr. Henderson. Mr. Henderson stated we are going to forego the public hearing because we are going to postpone Resolution No. 2017-88 to give the Building Inspector time to inspect the progress that is being made to clear this property and possibly move some personal effects for the property.

Mr. Henderson made a motion to postpone Resolution No. 2017-88. The motion was seconded by Mr. Waits.

Mr. Spurlin stated this will be tabled until the October 10, 2017 meeting.

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

Resolution No. 2017-88 – Approving the actions of the Building Inspector that the building located at 261 Reaves Drive, be destroyed or removed as soon as possible according to Ordinance 212 of the City of Oxford.

Public Hearing

To receive comments on the condemnation sent to Richard Channell Jr. for a structure located at 125 Teague Street to show cause, if any, as to why the structure located on the property should not be condemned. Mr. Spurlin declared the public hearing open.

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

Mr. Spurlin declared the public hearing closed.

Resolution No. 2017-89 – Approving the actions of the Building Inspector that the building located at 125 Teague Street, be destroyed or removed as soon as possible according to Ordinance 212 of the City of Oxford.

Mrs. Hubbard made a motion to approve Resolution No. 2017-89. The motion was seconded by Mr. Henderson.

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

Resolution No. 2017-90 – Resolution authorizing the Mayor to enter into an addendum to the Wellness Services Agreement with Humana.

Mr. Gardner made a motion to approve Resolution No. 2017-90. The motion was seconded by Mrs. Hubbard.

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

Resolution No. 2017-91 – Resolution re-appointing Marvin Jones to the School Board for a five year term expiring July 31, 2022.

Mr. Waits made a motion to approve Resolution No. 2017-91. The motion was seconded by Mr. Gardner.

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

Resolution No. 2017-92 – Resolution awarding the bid for a 2017 Ford F-350 Chassis 4x4 SD crew cab 179” WB DRW XL (W3H).

Mr. Spurlin stated this bid goes to Buster Miles in the amount of \$46,200.00.

Mr. Gardner made a motion to approve Resolution No. 2017-92. The motion was seconded by Mrs. Hubbard.

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

Resolution No. 2017-93 – Resolution awarding the bid for a 2017 Explorer, Sport Utility 4 dr FWD.

Mr. Spurlin stated that there were no bids received for this bid. At this time, I would like to ask for a motion to table Resolution No. 2017-93 to our next meeting.

Mr. Henderson made a motion to table Resolution No. 2017-93 until the next meeting. The motion was seconded by Mrs. Hubbard.

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

Resolution No. 2017-94 – Resolution renaming a portion of County Line Road to Oak Hill Road.

Mr. Henderson made a motion to approve Resolution No. 2017-94. The motion was seconded by Mrs. Hubbard.

Mr. Spurlin stated this is a portion of County Line Road that overlaps in blocking and distance addressing, part of it being in Talladega County and part of it being in Calhoun County. When this road was first designed one system used one type of addressing and the other system used another type of addressing. Our first responders are having a difficult time trying to find houses there because addresses are not consistent numerically. We were going to have to change the addresses. So, to try to stop any confusion of changing a whole road and the main problem was the east side from Gunnells Lane to Friendship Road. We are going to rename that road to try to provide as much safety as possible so there is no overlapping on addresses and the first responders can get there quickly.

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

COUNCIL REPORTS/COMMENTS

Mr. Spurlin called for Council Comments. There are none.

MAYOR'S COMMENTS

Mr. Spurlin asked Mayor Craft if he had any comments. Mayor Craft stated he has no comments.

Visitors

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

Jerry Marks of 198 Fairview Lane addressed the Council about the concerns that he and several other residents he is representing have regarding some issues they are having.

Mr. Spurlin stated Mr. Marks we can have our City Engineer do a traffic study and see what it warrants. Also, you know the renovation of downtown next spring will possibly change the route of Choccolocco Street and Snow Street so that should help with the traffic flow. Thank you for being here and bringing this to us. Mike if you will get with us afterwards and see if we can get this taken care of.

Mr. Timmons and Mr. Armour of Sherwood Forest addressed the Council.

Mr. Spurlin stated Mr. Timmons and Mr. Armour the reason those gates are being taken out is exactly what you said. Those gates are on private property and we are giving them access. The residents came to us as a City Council since we are building a complex there in their backyard would we give them access from their house and go through. When that first started everyone was in agreement that we don't mind people coming through our yards. We want this to be a community access but since if you have noticed there have been no trespassing signs put up. There have been private locks put on the gates so the City nor the residents can get the gates open. The only way we can avoid conflict and we cannot as a City give a resident permission to trespass on other people's property. Like you said no one is using the easement. Everyone is using the personal property. Like I said Mr. Timmons we cannot authorize residents to trespass on their property. They do not want people coming through their property. The only way we can do that is if they change their deed to issue a waiver from now own they accept an easement but on their property that the community has access to that portion of the property. I don't think you are going to get that easement. We did this as a favor to the residents of Sherwood Forest with an added expense and we did that as a favor and it has come back to bite us. We are proud of the complex and we are proud of what it is doing for Oxford. You can look at all the kids, the people out there walking for health and all different reasons and look at what it is bringing to Oxford. We tried to work with the residents even at an additional costs but when it comes to signs being put up trespassers will be shot and private locks being put on gates and now the residents nor the City can access the gate, it is no longer a gate. There are two gates right now with private locks on them. There are two gates that you no longer have access to.

Mr. Spurlin stated how do you think that combination got out. I am not saying you but if the only ones who had the combination were the residents who bordered the park. As a Council we decided it was it was not in our best interest for the City workers to have to each one have a combination at each gate and tote a rolodex. The difference is now there will no longer be trespassers will be shot signs put up. What is it worth one life Mr. Armour. What's it worth having one police officer having to come out there and put his life on the line because residents have gotten in a fight with each other over whether or not you can trespass on my property. The one you are mentioning I can tell you if he is complaining he isn't the only one. They are telling us they are tired of people coming on our property.

Mr. Spurlin stated Mr. Armour we didn't have a problem with it. We did it for you all but now that we have done it there are residents who have those gates or are next door to those gates that are saying we are tired of people coming through our yard and now it has turned into a neighborhood instead of just those that border the complex. It does show that the City has done everything that we can to keep peace in the community. I'll take the blame for that. During the pre-meeting for the last Council meeting we discussed this and decided versus going through and putting separate locks and separate codes and our employees having to tote a rolodex to know which code opened which gate. That was on me. They are not wanting to do that. I can tell you this, if everyone had the attitude of you three it would have been a different story. Mayor Craft have the gates already been removed?

Mr. Spurlin stated that we need a motion to go into Executive Session for the possible discussion of litigation. I ask Ron Allen, City Attorney to certify this.

Mr. Waits made a motion to go into Executive Session. The motion was seconded by Mrs. Hubbard.

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

Mr. Spurlin stated we will adjourn from the Executive Session.

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

Shirley Henson, City Clerk

Chris Spurlin, Council President