

OXFORD CITY COUNCIL  
MINUTES OF MEETING

DATE: February 13, 2018  
TIME: 6:36 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. Mike Henderson, Council Member

ABSENT: Phil Gardner, Council Member

The City Council of the City of Oxford, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Oxford, Alabama, on Tuesday, February 13, 2018, at approximately 6:36 o'clock p.m. Council President Spurlin called the meeting to order.

Ron Allen, City Attorney, was present.

Alan Atkinson, City Clerk, was present.

Tommy Screws, Calvary Baptist Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Council President Spurlin stated tonight we have Noah Oswalt to lead us in our pledge. Noah is a 4<sup>th</sup> grade student at Oxford Elementary School. His parents are Joshua and Audrey Oswalt. Noah enjoys all sports, playing with his brother and Legos. At school, he is a member of the OES Broadcast Team and a Library Aide. His favorite subject is math and his favorite teacher is Mrs. Hanner. When Noah grows up, he wants to be an artificial Intelligence Robot Scientist or an author. Noah's teachers say that he is a very smart student who takes initiative in completing tasks and assignments without having to be asked or reminded. He is also very responsible and is always willing to help a classmate.

Noah Oswalt led the Pledge of Allegiance to the Flag.

Council President Spurlin thanked Noah Oswalt for leading the Pledge of Allegiance and thanked him for being an outstanding student.

APPROVAL OF MINUTES

Council President Spurlin stated each member of the Council had previously received a copy of the minutes of the January 23, 2018 meeting. Council Member Henderson made a motion that the minutes be approved as presented. The motion was seconded by Council Member Hubbard.

Council President Spurlin called for any comments or questions; there being none, on roll call the votes of the Council were as follows: ayes: Council Members Hubbard, Henderson and Spurlin; nays: none; abstentions: Council Member Waits; absent: Council Member Gardner. The motion carried.

## OLD BUSINESS

Ordinance No. 2017- 26 – Ordinance limiting the use of Oxford Lake Park in accordance with the Land and Water Conservation Act of 1965, as amended.

### **ORDINANCE NO. 2017-26**

AN ORDINANCE LIMITING THE USE OF OXFORD LAKE PARK IN ACCORDANCE WITH THE LAND AND WATER CONSERVATION FUND ACT OF 1965, AS AMENDED, 16 U.S.C 4601-5 ET SEC. (1970 ED.).

BE IT ORDAINED by the City Council of the City of Oxford, Alabama as follows:

SECTION ONE: In accordance with the mandates as contained in the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C 4601-5 et sec. (1970 ed.) (“LWCF”) all lands acquired with LWCF assistance must be operated and maintained in perpetuity for public outdoor recreational use. Pursuant to the above reference mandate the city by way of a deed hereby places the above required limitation on all property contained in the Oxford Lake Park.

SECTION TWO: This Ordinance shall become effective upon its passage by the Council and publication as required by law.

APPROVED and ADOPTED this 13th day of February, 2018.

CITY COUNCIL OF THE CITY OF  
OXFORD, ALABAMA

By: /s/ Chris Spurlin, Council President

By: /s/ Charlotte Hubbard, Council Member

By: /s/ Steven Waits, Council Pro Tempore

By: /s/ Mike Henderson, Council Member

APPROVED:

By: /s/ Alton Craft, Mayor

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Henderson made a motion to approve Ordinance No. 2017-26. The motion was seconded by Council Member Waits; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and Resolution No. 2017-26 was approved.

### NEW BUSINESS

Council President Spurlin announced that was the time for the public hearing to consider amending the Zoning Ordinance, Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said proposed amendment to the Zoning Ordinance, Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District.

No one addressed the Council either in favor of or in opposition to said proposed amendment to the Zoning Ordinance, Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District.

Council President Spurlin declared the public hearing to consider amending the Zoning Ordinance, Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District closed.

Ordinance No. 2018- 02 - Ordinance amending the Zoning Ordinance, Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District.

### **ORDINANCE NUMBER 2018-02**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF OXFORD, ARTICLE 6, SPECIAL DISTRICTS, SECTION 6.02, FC FLOOD PLAIN AND CONSERVATION DISTRICT (ORDINANCE NO. 2017-20, 9/26/2017)

BE IT ORDAINED by the City Council of the City of Oxford, Alabama, as follows:

SECTION 1. Upon recommendation of the Planning Board of the City of Oxford the Council hereby amends Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District of the above referenced Ordinance so that it shall read in its entirety as follows:

#### **Section 6.02 FC Flood Plain and Conservation District**

1. *Purpose.* The purpose of this zone is to protect public health, safety, and general welfare; to protect persons, private and public property from the hazards of flood water inundation, and to protect the community from costs which are incurred when urban development occurs in flood plains. The area subjected to flood hazard will be conserved for open land uses, agricultural uses, recreational areas, and other uses which do not require extensive buildings within the flood plain.

2. *Uses Permitted.* All uses not specifically permitted below are prohibited.
  - a) Uses Permitted by Right: agricultural uses and crop production; wildlife refuges; including game preserves, sanctuaries; and forest reserves; watershed conservation areas and reservoirs; parks; open storage usages, and parking areas; cemeteries
  - b) Uses requiring Site Plan Approval. The following uses may be permitted upon review and approval of a site plan by the Planning Commission in accordance with [§11.05](#): outdoor recreation, including but not limited to miniature golf, amusement parks, and drive-in theaters; aircraft landing strips
  - c) Conditional Uses. The following uses may be permitted upon approval by the Planning Commission in accordance with [§11.06](#): quarries such as sand, gravel, stone, topsoil and borrow pit; earth and sanitary landfills; dumps
3. *Special Construction Requirements.*
  - a) Not more than 30% of the site may contain impervious surfaces.
  - b) No permanent building or structure, except for those customary to agricultural uses, may be constructed in the FC District, unless permitted under the following terms:

When specifically approved by the Commission as an exception to these regulations under the conditions herein listed; and after a public hearing before the Council, the following may be permitted:

    - 1) Permanent structures associated with the uses permitted, provided that the first floor level is at or above an elevation of the flood of record plus one ft, and that such construction may not impede the flow of flood waters nor increase the hazard of flooding either upstream or downstream.
    - 2) Earth fill or other materials may not be used to raise the elevation of the land, unless the fill proposed does not restrict the flow of water and unduly increase flood height and hazard, as determined by the Council upon recommendation by the Commission based upon an engineering report prepared by an engineer at the expense of the land owner.
    - 3) Development of natural resources and extraction of raw materials such as rock, gravel, and sand; subject to the following:
      - (i) No excavation may approach nearer than 300 ft to any residential district; 100 ft to any arterial or collector street; or nearer than 60 ft to any other street.
      - (ii) Side slope of the excavation must be no steeper than 2:1 (horizontal: vertical) and a vegetative cover of such slopes must consist of a short, perennial, drought-resistant grass which will permit the establishment of a good sod cover.
      - (iii) Filing with the city clerk of a restrictive covenant providing that no foreign matter such as rubbish, car bodies, refuse, etc., may be deposited within the excavation area. Such covenant must be approved as to form by the city attorney, binding upon the applicants, their heirs, successors, or assigns.

- (iv) A performance bond is required in such an amount and for such length of time as may be determined by the Council to be necessary to guarantee excavation in accordance with the provisions set forth above, and provided further that the Council may at its discretion and in such manner as is consistent with the public health, safety, and welfare, modify or waive any of the conditions if it can be clearly demonstrated that such conditions are not required to protect public health, safety, convenience, and general welfare.

APPROVED and ADOPTED this 13th day of February, 2018.

CITY COUNCIL OF THE CITY OF  
OXFORD, ALABAMA

By: /s/ Chris Spurlin, Council President

By: /s/ Charlotte Hubbard, Council Member

By: /s/ Steven Waits, Council Pro Tempore

By: /s/ Mike Henderson, Council Member

APPROVED:

By: /s/ Alton Craft, Mayor

Council Member Waits made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 2018-02. The motion was seconded by Council Member Henderson; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried.

Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 2018-02, Council Member Henderson made a motion to approve Ordinance Number 2018-02. The motion was seconded by Council Member Waits; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Gardner, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and Ordinance Number 2018-02 was approved.

Resolution No. 2018- 08 – Resolution authorizing the Mayor to engage the legal services of Barze, Taylor, Noles and Lowther LLC.

Council Member Waits made a motion to approve Resolution No. 2018-08. The motion was seconded by Council Member Hubbard; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and Resolution No. 2018-08 was approved.

Resolution No. 2018- 09 – Resolution declaring certain vehicles/equipment surplus.

Council Member Waits made a motion to approve Resolution No. 2018-09. The motion was seconded by Council Member Henderson; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and Resolution No. 2018-09 was approved.

Council Member Henderson made a motion to delete from the agenda Resolution No. 2018-10, a resolution authorizing the Mayor to execute agreements with CDG Engineers and Consultants, Inc. for Aerial Topographic Surveys. The motion was seconded by Council Member Waits; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried

Council Member Hubbard made a motion to approve Resolution No. 2018-11, a Resolution authorizing the Mayor to execute a Service Agreement MOU with LimeBike. The motion was seconded by Council Member Waits; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and Resolution No. 2018-11 was approved.

Council Member Henderson stated that this was a joint venture with the Cities of Anniston and Jacksonville and Jacksonville State University and they would all be providing bicycle rental opportunities.

Council President Spurlin stated that the bicycles rented could be returned in any of these cities participating in the program. He stated this was the only combined bicycle rental effort in the southeast.

Council Member Henderson stated the new edition of the Oxford Access magazine was available and the City staff had done an outstanding job with the magazine.

Council President Spurlin stated they needed to set a public hearing for February 13th, 2018 to consider a condemnation hearing at 602 Spring Street.

Mr. Spurlin stated the Council would be adjourning into Executive Session to discuss the possible sale or purchase of real estate and possible litigation and asked Ron Allen, City Attorney, to certify said purpose of the Executive Session.

Ron Allen, City Attorney, stated he did certify that the Council was adjourning into Executive Session to discuss the possible sale or purchase of real estate and possible litigation.

There being no further business to come before the Council, Council Member Henderson made a motion to adjourn into Executive Session to discuss the possible sale or purchase of real estate and possible litigation. The motion was seconded by Council Member Hubbard; and on call of the roll the following vote was recorded: ayes: Council Members Hubbard, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried and the Council adjourned into Executive Session at approximately 7:10 o'clock p.m.

APPROVED  
CITY COUNCIL OF THE CITY OF  
OXFORD, ALABAMA

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Chris Spurlin, Council President

AUTHENTICATED:

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Alan B. Atkinson, City Clerk  
February 13, 2018: Regular Meeting