

OXFORD CITY COUNCIL
MINUTES OF MEETING

DATE: January 8, 2019
TIME: 6:28 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, January, 2019, at approximately 6:28 o'clock p.m. Council President Spurlin called the meeting to order.

Ron Allen, City Attorney, was present.

Alan Atkinson, City Clerk, was present.

Clint McCall, Meadowbrook Baptist Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Council President Spurlin stated tonight we have Myron Pilot to lead us in our pledge. Myron is a 4th grade student at DeArmanville Elementary School. His parents are Tiffany Moore and Damion Pilot. Myron enjoys playing sports, video games and reading. At school, he is a member of the Safety Patrol. His favorite subject is science and his favorite teacher is Mrs. Holcomb. When Myron grows up, he wants to be a businessman.

Myron Pilot led the Pledge of Allegiance to the Flag.

Council President Spurlin thanked Myron Pilot 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 December 17, 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, Waits, Henderson and Spurlin; nays: none; absent: Council Member Gardner. The motion carried.

Council President Spurlin announced that was the time for the public hearing to consider amending the Zoning Ordinance, Article 9, Section 9.06, Signs Permitted in Nonresidential Districts, 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 9, Section 9.06, Signs Permitted in Nonresidential Districts.

No one addressed the Council either in favor of or in opposition to said proposed amendment to the Zoning Ordinance, Article 9, Section 9.06, Signs Permitted in Nonresidential Districts.

Council President Spurlin declared the public hearing to consider amending the Zoning Ordinance, Article 9, Section 9.06, Signs Permitted in Nonresidential Districts, closed.

Ordinance No. 2019- 01 - Ordinance amending the Zoning Ordinance, Article 9, Section 9.06, Signs Permitted in Nonresidential Districts.

ORDINANCE NUMBER 2019-01

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF OXFORD, ARTICLE 9, SECTION 9.06, SIGNS PERMITTED IN NONRESIDENTIAL DISTRICTS (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 9, Section 9.06, Signs Permitted in Nonresidential Districts, of the above referenced Ordinance so that it shall read in its entirety as follows:

Section 4.01 Signs Permitted in Nonresidential Districts

Permanent signs are permitted in nonresidential districts in accordance with Table 9-1 and the following:

1. *Freestanding Signs.* Nonresidential uses are permitted freestanding signage as provided in Table 9-1. The following standards apply to all freestanding signs, except where otherwise specified:

- a) Freestanding signs may be illuminated or not and may include manual or electronic changeable copy, subject to [§9.06.4 Electronic Changeable Copy Signs](#).
- b) Freestanding signs may be no closer than 15 ft to the edge of pavement of any street and no closer than 50 ft from a sign on an abutting property.
- c) Freestanding signs within a Multi-tenant Center must be consistent in design, materials, and colors.
- d) Allowable sign height is based on the classification of the street along which it is located as provided in Table 9-1. Different height limits may apply on corner lots when the abutting streets are classified differently.

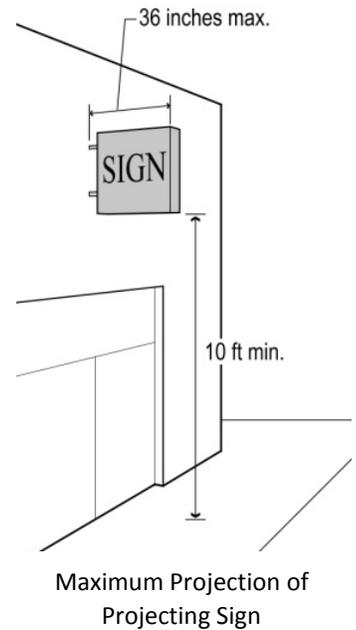


Table 9-1 Nonresidential District Sign Standards						
District	ASC	GB	CBD	NSC	INST	M-1 & M-2
Max. Height ¹						
Arterial	30 ft	30 ft	15 ft	15 ft	15 ft	30 ft
Collector	25 ft	25 ft	15 ft	15 ft	15 ft	25 ft
Local	15 ft	15 ft	12 ft	12 ft	12 ft	15 ft
¹ See §9.06.1.e for height allowances for signs along Interstate 20.						
Freestanding Signage for Individual Premises (other than Multi-tenant Centers)						
Max. number of signs	1 per street frontage					
Max. copy area per sign	100 sf	150 sf	100 sf	50 sf	100 sf	150 sf
Freestanding Signage for Multi-tenant Centers						
GFA of Center	Number and Area of Signs					
1,000,000 sf and larger	Max. number of signs: 4 Max. aggregate copy area: 850 sf Max. copy area of each sign: 350 sf					
500,000-999,999 sf	Max. number of signs: 3 Max. aggregate sign area: 700 sf Max. copy area of each sign: 300 sf					
100,000-499,999 sf	Max. number of signs: 1 per street frontage up to 2 total Max. aggregate copy area: 500 sf Max. copy area of each sign: 250 sf					
50,000-99,999 sf	Max. number of signs: 1 per street frontage up to 2 total Max. aggregate copy area: 350 sf Max. copy area of each sign: 200 sf					
10,000-49,999 sf	Max. number of signs: 1 per street frontage up to 2 total Max. aggregate copy area: 250 sf Max. copy area of each sign: 150 sf					
Less than 10,000 sf	Max. number of signs: 1 per street frontage up to 2 total Max. aggregate copy area: n/a Max. copy area of each sign: as provided above for individual premises					
Attached Signage for Individual Premises and Multi-tenant Centers						
Max. number of attached signs	1 wall or projecting sign per façade + 1 awning or canopy sign per facade					
Max. copy area per sign						
Wall Sign	150 sf or 25% of the façade area, whichever is less					
Projecting Sign	16 sf					
Awning or Canopy Sign	25% of the surface area of the awning or canopy					

(Table 9-1 continued)											
Sign Regulations for Highway Drive (McCullars Lane to Park Place) Amortization for nonconforming signs	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">Amortization Schedule</th> </tr> <tr> <th style="text-align: left;">Value of Sign</th> <th style="text-align: right;">Period</th> </tr> </thead> <tbody> <tr> <td>Below \$10,000.00</td> <td style="text-align: right;">3 Years</td> </tr> <tr> <td>Below \$20,000.00</td> <td style="text-align: right;">4 Years</td> </tr> <tr> <td>Above \$20,000.00</td> <td style="text-align: right;">5 Years</td> </tr> </tbody> </table>	Amortization Schedule		Value of Sign	Period	Below \$10,000.00	3 Years	Below \$20,000.00	4 Years	Above \$20,000.00	5 Years
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- e) Signs on properties located within 1,000 ft of the nearest right-of-way line of Interstate 20 may exceed the height limits in Table 9-1 but may not exceed a height of 100 ft.
2. *Attached Signs.* Each establishment is allowed permanent signage on each facade. Nonresidential uses, including those in Multi-tenant Centers, are allowed attached signage as provided in Table 9-1 subject to the following:
 - a) Attached signs, except where specifically prohibited herein, may be directly or indirectly illuminated.
 - b) Attached Signs may not extend out from the face of the building more than 12 inches. Attached Signs may include manual or electronic changeable copy, subject to [§9.06.4 Electronic Changeable Copy Signs](#).
 - c) Projecting signs may not project outward more than 36 inches from the building face and must have a minimum clearance of 10 ft from the surface below to the lowest point on the sign. Projecting signs may not extend into a public right-of-way more than eight inches without express approval from the Building Official.
 - d) *Awning and Canopy Signs*
 - 1) Awning and Canopy signs may extend no closer than two ft horizontally to the curb line of any public street nor less than 10 ft vertically from the finished surface directly below.
 - 2) Copy area may not exceed 25% of the surface area of the canopy or awning, which surface area is not counted toward allowable sign area.
3. Window signs are permitted, provided they do not collectively cover more than 20% of the window glass area.
4. Electronic Changeable Copy Signs are permitted subject to the following standards:

- a) Electronic or digital display units must have installed ambient light monitors to automatically adjust the brightness level of the message based on ambient light conditions. Maximum brightness levels may not exceed 7,000 nits during daylight hours and 2,500 nits during nighttime hours.
 - b) Any sign using technology which malfunctions, fails, or ceases to operate in its usual or normal programmed manner causing therein motion, movement, flashing or any other similar effects, must be repaired or disconnected within 24 hours of notice from the City.
 - c) The message area may not exceed the permitted copy area for the applicable sign type in the district, or 200 sf, whichever is less.
 - d) Electronic changeable copy signs must observe the following minimum setbacks from residential districts:
 - 1) 100 ft if changeable copy area up to 20 sf
 - 2) 200 ft if changeable copy area of 21-100 sf
 - 3) 500 ft if changeable copy area greater than 100 sf
5. *Temporary Signs.* Temporary signs are permitted as follows:
- a) Temporary Signs may be attached or freestanding but are prohibited in a public right-of-way.
 - b) No temporary sign may include an off-premise message.
 - c) For any premises which is occupied or for which a building permit has been issued, and for which a permanent sign has not been installed, one temporary sign is allowed from the date of occupancy or the date of issuance of the building permit, whichever comes first, until the date of installation of the permanent sign. The temporary sign may not exceed the size allowed for the permanent sign, and, if freestanding, may not exceed eight ft in height.
6. Sign Regulations for Highway Drive (McCullars Lane to Park Place)
- a) Free standing signs will not be allowed on Highway Drive from McCullars Lane to Park Place.
 - b) Signs will be allowed to be attached to the building or roof (to be no higher than the roof line of the building) and may not exceed 20 percent of the façade.
 - c) Signs may only be illuminated on the interior of the sign.
 - d) Nonconforming signs must comply within 5 years using the amortization schedule in Table 9-1.

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

APPROVED and ADOPTED this 8th day of January, 2019.

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 Hubbard made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 2019-01. 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 2019-01, Council Member Waits made a motion to approve Ordinance Number 2019-01. The motion was seconded by Council Member Henderson; 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 2019-01 was approved.

Ordinance No. 2019 – 02 – Ordinance amending the City Code, Article VIII – Hotel, Transient Lodging and Occupancy Tax, Section 22-254 – Tax levied within corporate limits; amount, application and Section 22-255 – Tax levied within the police jurisdiction of city; amount, application.

ORDINANCE NUMBER 2019-02

AN ORDINANCE AMENDING ARTICLE VIII, SECTIONS 22.254 AND 22.255 OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD

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

Section 1. That Article VIII, Section 22.254 of "The Code of Ordinances of the City of Oxford, Alabama, be and the same is hereby amended in its entirety as follows:

Section 22.254. – Tax Levied within corporate limits; amount, application.

- (a) Effective June 1, 2019, there is hereby levied and imposed in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person within the corporate limits of the city engaging in the business of renting or

furnishing any room, lodging, or accommodation to transients in any hotel, motel, inn, tourist camp, tourist cabin, or any other place in which rooms or lodgings are regularly furnished to transients for a consideration, said tax to be in an amount equal to eight percent of the charge for such rooms, lodgings, or accommodations, including the charge for use or rental of personal property sold or services furnished which are required to be included in the computation of the tax levied in Code of Ala. 1975, § 40-23-1 et seq., said article being commonly referred to as the State Sales Tax Statutes, shall not be included in computing the tax herein levied.

- (b) Of the eight percent tax imposed in subsection (a), six percent is a general purpose tax the revenues of which may be used for any lawful municipal purpose, and two percent of the tax revenues are dedicated equally for Public Safety and Events.
- (e) The tax referred to in the subsection (a) of this section shall apply to, and be measured only by the charges for, the rental of rooms, lodgings, or accommodations supplied to transients, and shall not apply to, or be measured by the charges, for rooms, lodgings, or accommodations supplied:

- (1) For a period of 180 continuous days or more in any place;

- (2) By camps, conference centers, or similar facilities operated by nonprofit organizations primarily for the benefit of, and in connection with, recreational or educational programs for children, students, or members or guests of other nonprofit organizations during any calendar year;

- (3) In connection with the production of an approved project authorized by the Alabama Film Office and which meets criteria established by the Alabama Film Office through the Alabama Administrative Procedure Act; or

- (4) By privately operated camps, conference centers, or similar facilities that provide lodging and recreational or educational programs exclusively for the benefit of children, students, or members or guests of nonprofit organizations during any calendar year.

- (f) For purposes of subsection (e) of this section:

- (1) The term "children" means individuals under age 21;

- (2) The term "student" is defined in accordance with 26 USC 151(c)(4), as in effect from time to time or by any successor law;

- (3) The term "nonprofit organization" means an organization exempt from federal income tax under 26 USC 501(c)(3), as in effect from time to time or any successor law; and

- (4) The term "privately operated" means any camp, conference center, or similar facility other than those operated by a nonprofit organization as herein defined.

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

Section 2. That Article VIII, Section 22.255 of "The Code of Ordinances of the City of Oxford, Alabama, "Tax levied within police jurisdiction of city; amount" is hereby rescinded in its entirety.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The City Council finds and declares that it would have adopted each and every provision of this ordinance, even if it had not adopted any other provision.

Section 4. This ordinance shall become effective upon its passage by the City Council and publication as required by law.

APPROVED and ADOPTED this 8th day of January, 2019.

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 2019-02. 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 2019-02, Council Member Hubbard made a motion to approve Ordinance Number 2019-02. 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 2019-02 was approved.

Council President Spurlin stated the next item on the agenda was a proposed resolution adopting an Economic Incentive Policy and the Council planned to table this resolution for tonight.

Council Member Waits made a motion to table the proposed resolution adopting an Economic Incentive Policy. 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.

Resolution No. 2019- 01 – Resolution appointing Randy Heflin to the Planning Commission.

Council Member Waits made a motion to approve Resolution No. 2019-01. 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. 2019-01 was approved.

There being no further business to come before the Council, Council Member Henderson made a motion to adjourn. Council President Spurlin declared the meeting adjourned at approximately 6:36 o'clock p.m.

APPROVED
CITY COUNCIL OF THE CITY OF
OXFORD, ALABAMA

Chris Spurlin, Council President

AUTHENTICATED:

Alan B. Atkinson, City Clerk
January 8, 2019: Regular Meeting