

STATE OF ALABAMA)

CITY OF ONEONTA, ALABAMA, DECEMBER 17, 2015

COUNTY OF BLOUNT)

The Mayor and City Council met in special called session for the purpose of a personnel matter on December 17, 2015 at City Hall at 5:00 P.M. prior to a scheduled 5:15 P.M. public hearing held for the purpose of discussing a special event license at the Agri-Business Center. The public hearing was scheduled prior to a rescheduled regular council meeting that was rescheduled due to the holidays. Present were Mayor Norris, Council members: Blackwood, Gargus, McNair, Rogers and Robinson. Also present were City Manager Ed Lowe, City Attorney Alex Smith, Jim Kilgore, Fire Chief Arthur Willis, Police Chief James Chapman, Brandon Horton, Andy Alexander, Laura Powell David Price, Kathy Young, Joan Epps, Karen Lowe, Patti Robinson, John Saxon, Rodney Wall, Geneva Wall, Deanna Johnson, Jan Johnson, Ricky Hicks, Paul Allred, Daniel Clem, John Hedrick, Ralph Noland, Sherry Pierce, Martha Lowe and City Clerk Tammie Noland.

Mayor Norris called the meeting to order and stated that this special called meeting is being held to review the dismissal of Geneva Wall. Mayor Norris entertained a motion to go into executive session. Councilman McNair made a motion to go into executive session. Councilman Gargus seconded and the motion carried with all ayes.

Mayor Norris, council members: Rogers, Gargus, Blackwood, McNair and Robinson entered into executive session at 5:04 P.M. Also entering the executive session meeting was City Manager Ed Lowe, City Attorney Alex Smith, Geneva Wall, her attorney John Saxon and Tammie Noland.

The Mayor and Council returned to the public meeting at 5:40 p.m.

Mayor Norris entertained at motion to uphold the mayor's action to for the dismissal of Geneva Wall. Councilman Blackwood made a motion to uphold the decision for dismissal of Geneva Wall. Councilwoman Rogers seconded and the motion carried with all ayes.

Mayor Norris adjourned the special called meeting.

A scheduled public hearing was held at 5:42 p.m. for the purpose of discussing a special event license at the Agri-Business Center.

Andy Alexander explained the purpose of the Special Event License at the Agri-Business Center and the time line involved to implement the license. Mr. Kilgore asked questions regarding the time line of licensing process and if this is the same company that held the event at the Covered Bridge Festival. Discussion was held with Andy and Ed answering his questions and stating that this is the same company that held the special event license at the Covered Bridge Festival. There was no other commit Mayor Norris closed the public hearing.

Mayor Norris called the regular meeting to order at 5:45 p.m.

Councilman Blackwood gave the invocation.

Councilman Robinson made a motion to approve the minutes of the December 8<sup>th</sup> council meeting. Councilman Gargus seconded and the motion carried with all ayes.

Andy Alexander spoke on the special event license at the Agri-Business Center that was discussed in the public hearing held prior to the regular council meeting. Councilman McNair made a motion to issue the special event license. Councilman Blackwood seconded and the motion carried with all ayes.

Councilwoman Rogers recognized Fire Chief Arthur Willis who introduced Erin Franklin with MDA. Erin expressed appreciation and honor to the firefighters who worked diligently on the "Fill The Boot Program".

Mayor Norris read the following resolution:

**RESOLUTION 2015-12-17-STH\_**

A RESOLUTION OF THE CITY OF ONEONTA, ALABAMA, TO EXEMPT CERTAIN "COVERED ITEMS" FROM THE MUNICIPAL SALES AND USE TAX DURING THE LAST FULL WEEKEND OF FEBRUARY, AS AUTHORIZED BY 40-23-230 THROUGH 40-23-233, CODE OF ALABAMA 1975, GENERALLY REFERRED TO AS THE STATE SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY.

BE IT ORDAINED BY THE CITY COUNCIL OF ONEONTA, ALABAMA, AS FOLLOWS:

Section 1. In conformity with the provisions in 40-23-230 through 40-23-233, Code of Alabama 1975, providing for a State Severe Weather Preparedness Sales Tax Holiday, the City of Oneonta, Alabama, exempts "covered items" from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the last Friday in February 2016 (February 26, 2016) and ending at twelve midnight the following Sunday (February 28, 2016).

Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by 40-23-230 through 40-23-233, Code of Alabama 1975, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this resolution under the seal of the City of Oneonta, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This resolution shall become effective on February 26, 2016.

ADOPTED AND APPROVED THIS 17<sup>th</sup> DAY OF DECEMBER, 2015.

Councilman Robinson made a motion to adopt the resolution declaring February 26-28, 2016 Severe Weather Preparedness Tax Holiday. Councilman McNair seconded and the motion carried with all ayes.

Councilman Gargus made a motion to adopt a resolution approving county repaving project, county hwy 15 inside limits as follows:

## RESOLUTION

WHEREAS, the City of Oneonta, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on CR-15 within the City Limits of Oneonta, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number: ACCA61259-ATRP(011) Resurfacing CR-15 from SR-75 Northwest to SR-79.

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the Council of Oneonta, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and

barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A – This project does not require permanent barricade or relocation of any intersecting streets.

Please refer to: Project Note Sheet (Sheet 2B)

Please refer to: Traffic Control Plan (Sheets 7-7D)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of

Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

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BE IT FURTHER RESOLVED by this City Council:

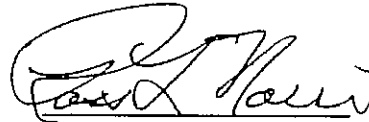
1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 17TH day of Dec., 2015

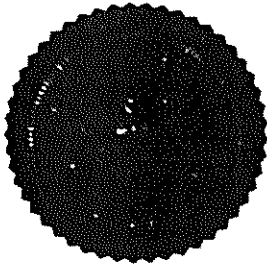
ATTEST

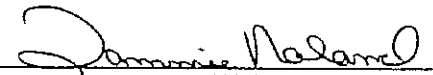
  
City Clerk

  
Mayor

I, the undersigned, Clerk of the City of Oneonta, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting held on the 17<sup>th</sup> day of December, 2015, which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this 17<sup>th</sup> day of December, 2015.



  
CITY CLERK

Councilman Blackwood seconded and the motion carried with all ayes.

Cathy Young of the Beautification Board gave an update from the Board.

Oneonta Business Association was not present.

Ed Lowe asked the mayor and council to consider adopting the 2016 Holiday Calendar, this is the same as the county and state has adopted, as follows:

#### CITY OF ONEONTA HOLIDAY SCHEDULE 2016

NEW YEAR'S DAY

FRIDAY, JANUARY 1, 2016

<b>MARTIN LUTHER KING, JR. ROBERT E. LEE'S BIRTHDAY</b>	<b>MONDAY, JANUARY 18, 2016</b>
<b>PRESIDENT'S DAY</b>	<b>MONDAY, FEBRUARY 15, 2016</b>
<b>CONFEDERATE MEMORIAL DAY</b>	<b>MONDAY, APRIL 25, 2016</b>
<b>NATIONAL MEMORIAL DAY</b>	<b>MONDAY, MAY 30, 2016</b>
<b>JEFFERSON DAVIS' BIRTHDAY</b>	<b>MONDAY, JUNE 6, 2016</b>
<b>INDEPENDENCE DAY</b>	<b>MONDAY, JULY 4, 2016</b>
<b>LABOR DAY</b>	<b>MONDAY, SEPTEMBER 5, 2016</b>
<b>COLUMBUS DAY</b>	<b>MONDAY, OCTOBER 10, 2016</b>
<b>VETERAN'S DAY</b>	<b>FRIDAY, NOV. 11, 2016</b>
<b>THANKSGIVING</b>	<b>THURSDAY, NOV. 24, 2016 FRIDAY, NOV. 25, 2016</b>
<b>CHRISTMAS</b>	<b>FRIDAY, DEC. 23, 2016 MONDAY, DEC. 26, 2016</b>
<b>**Christmas Eve is Saturday, December 24, 2016 Christmas Day is Sunday, December 25, 2016</b>	

**ADOPTED DECEMBER \_\_\_\_\_, 2015**

Councilwoman Rogers made a motion to adopt the 2016 Holiday Schedule. Councilman McNair seconded and the motion carried with all ayes.

Councilman Robinson wished everyone Happy Holidays.

Councilwoman Rogers made a motion for a capital request in the amount of Thirty-Six Thousand, Six Hundred Ninety Dollars and Fifty-Six cents (\$36,690.56) to replace Fire Chief Willis' vehicle. Councilman Gargus seconded and the motion carried with all ayes.

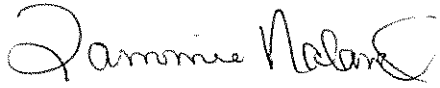
Councilman Gargus asked that Kevin and his department take care of the downtown cleaning matter mentioned by Cathy Young. He updated everyone on the Woodland Park bathroom project. Councilman Gargus asked that everyone remember Marlene Stroud and family in prayer as her husband passed away recently.

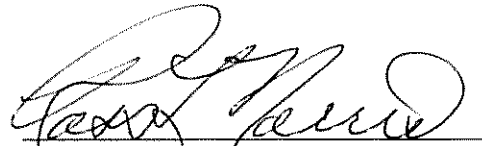
Councilman Blackwood had nothing to report from the Public Works department and he wished everyone a Merry Christmas.

Councilman McNair congratulated the Fire Department for their recognition for doing an outstanding job for MDA. He wished everyone a Merry Christmas and Happy New Year.

Mayor Norris thanked everyone for attending the meeting he wished everyone a Merry Christmas and Happy New Year.

There being no further business, Mayor Norris entertained a motion to adjourn. Councilman Blackwood made a motion to adjourn. Councilman Robinson seconded and the motion carried with all ayes. The meeting adjourned at 6:00 p.m.

  
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CITY CLERK

  
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MAYOR