

State of Alabama)
City of Oneonta
County of Blount)

The City of Oneonta conducted a regular scheduled council meeting at 6:00 p.m. with a regular scheduled work session at 5:45 p.m. to discuss the agenda items for the meeting. Present were Mayor Phillips and Council Members: Alexander, Bradley, McAlpine, Pierce and Underwood Also, present was Alex Smith, Brandon Horton, Daniel and Tonya Warden, Don Mitchell, Police Chief Clifton, Barbara Andersen, Andy Alexander, Matteo Penso, Fire Chief Booth, Fire Lt. Ivey, Dalton and Kara Teal, Jim Ed Clayton and Amanda Cole.

Mayor Phillips opened the work session at 5:45 p.m. to discuss the agenda items. The Mayor stated items one through three are standard agenda items, unless anyone has any comments regarding agenda three pertaining to November 23, 2021, council meeting minutes.

The Mayor stated agenda item four is to consider setting a public hearing for December 28, 2021, at 5:00 p.m. to discuss the possible rezoning property located at 282 Fieldstone Road from R-3 zoning proposed to M-2 zoning. Brandon Horton explained Fieldstone approached the city requesting to rezone the above referenced property. He stated the company is in the process of updating the water treatment but in the process discovered the property was not properly rezoned with the other adjacent property owned by Fieldstone.

Mayor Phillips explained agenda item five is to consider setting a public hearing for December 28, 2021, at 5:10 p.m. to discuss the possible rezoning of property located at the intersection of Champion Road and Highway 231 from M-1 zoning proposed to B-2 zoning. Brandon stated the property referenced above was originally zoned to accommodate the railroad bed, but the city has been approached by the property owner, Daniel Warden, requesting to rezone the property to accommodate building a business. Brandon mentioned the property adjacent to the referenced above is currently B-2 zoning.

The Mayor stated agenda item six is to consider setting a public hearing for December 28, 2021, at 5:15 p.m. to discuss the alcohol license application of SIV, LLC located at 1007 2nd Avenue. Amanda Cole mentioned the application is simply a transfer of ownership of the business and they have passed all inspections.

Mayor Phillips mentioned agenda item seven is to consider setting a public hearing for December 28, 2021, at 5:20 p.m. to discuss ordinance no. 1221-01; ordinance amending the Zoning Ordinance. Andy Alexander stated due to the increase of Air B&B's and short-term rental, the city feels it is a good time to incorporate them into the Zoning Ordinance. He mentioned after presenting the above referenced item to the Planning Commission, it has been recommended to add language for special exemption to allow Air B&B's and/or short-term rental in the following residential zones: R-1; R-2; R-3 dependent on what the city approves. He mentioned the individual requesting to add a short-term rental must present it to the Zoning Board of Adjustments and there could be additional requirements requested of the individual.

Andy mentioned for the current Air B&B's and/or short-term rental properties they will be considered "grandfathered" into the ordinance if amendments are passed at next council meeting; however, if the property becomes inactive then later, they will be required to obey the new ordinance.

Mayor Phillips stated agenda item eight is to consider setting a public hearing on December 28, 2021, at 5:30 p.m. to discuss ordinance no. 1221-02; ordinance amending Section 13- License and Taxation of the Oneonta Code of Ordinances. The Mayor mentioned the referenced item goes along with agenda item seven in order to set scheduled fees to accommodate the Air B&B's and short-term rental. Mayor Phillips stated Alex Smith has recognized the proposed scheduled fee is appropriate for the business license.

Mayor Phillips mentioned agenda item nine to accept the resignation of part-time employee Rachel Gargus. The Mayor stated she will work throughout the end of the year.

The Mayor explained agenda item ten is to approve amendments to assistant community developer job description. He mentioned this is not a new job description but feels as though it would fit the job requirements of what Rachel Gargus has maintained through her employment better than the job description of officer manager.

Mayor Phillips stated agenda item eleven is to advertise for full-time assistant community developer with the funds being available. Councilwoman Pierce asked if there was a need for a full-time position and Mayor Phillips replied by saying yes it would be ideal to have a presence there full-time.

Mayor Phillips mentioned agenda item twelve is to recognize Jim Ed Clayton on behalf of the Blount County Children's Center. The Mayor stated agenda thirteen through eighteen are standard agenda items that will be discussed during the council meeting.

The Mayor stated agenda item nineteen to consider entering executive session for the purpose of discussing possible litigation. Mayor Phillips mentioned agenda item twenty is to consider approving a temporary moratorium on business license no. 10333.

Mayor Phillips entertained to close the work session. Councilman Bradley made a motion to close the work session. Councilwoman Pierce seconded and the motion carried with all ayes. The work session ended at 6:00 p.m.

The Mayor immediately opened the council meeting at 6:00 p.m.

Councilman Bradley gave the invocation.

Mayor Phillips led the Pledge of Allegiance.

Councilman Bradley made a motion to approve the council minutes of November 23, 2021, as written. Councilwoman Pierce seconded and the motion carried with all ayes.

Councilwoman Pierce made a motion to setting a public hearing for December 28, 2021, at 5:00 p.m. to discuss the possible rezoning property located at 282 Fieldstone Road from R-3 zoning proposed to M-2 zoning. Councilman Bradley seconded and the motion carried with all ayes.

Councilwoman Underwood made a motion to setting a public hearing for December 28, 2021, at 5:10 p.m. to discuss the possible rezoning of property located at the intersection of Champion Road and Highway 231 from M-1 zoning proposed to B-2 zoning. Councilwoman Pierce seconded and the motion carried with all ayes.

Councilman McAlpine made a motion to setting a public hearing for December 28, 2021, at 5:15 p.m. to discuss the alcohol license application of SIV, LLC located at 1007 2nd Avenue. Councilman Alexander seconded and the motion carried with all ayes.

Councilman Alexander made a motion to setting a public hearing for December 28, 2021, at 5:20 p.m. to discuss ordinance no. 1221-01; ordinance amending the Zoning Ordinance. Councilman Bradley seconded and the motion carried with all ayes.

Councilwoman Underwood made a motion to setting a public hearing for December 28, 2021, at 5:30 p.m. to discuss ordinance no. 1221-02; ordinance amending Section 13- License and Taxation of the Oneonta Code of Ordinances. Councilwoman Pierce seconded and the motion carried with all ayes.

Councilman Alexander made a motion to accepting the resignation of part-time employee Rachel Gargus. Councilwoman seconded and the motion carried with all ayes.

Councilman Bradley made a motion to approving amendments to assistant community developer job description. Councilwoman Pierce seconded and the motion carried with all ayes.

Councilwoman Underwood made a motion to advertise for a full-time assistant community developer position. Councilman Bradley seconded and the motion carried with all ayes.

The Mayor recognized Jim Ed Clayton to the floor. Jim Ed thanked the city for the continual funding and support given to the Blount County Children's Center.

Councilwoman Pierce gave a brief report of the month November on behalf of the fire department and reminded everyone of Santa coming through the city on the fire truck this Saturday at 8:00 a.m.

Councilwoman Underwood gave a brief report of the month November on behalf of the police department.

Barbara Andersen gave a report on behalf of the Chamber of Commerce. Barbara thanked everyone for their help with the Christmas Parade. She reminded everyone of the Lester Memorial Breakfast on Wednesday morning at 7:00 a.m. She wished everyone a Merry Christmas reminded everyone the Chamber will be closed the last two weeks of the year.

Oneonta Business Association had nothing to report.

Oneonta Beautification Board had nothing to report.

Mayor Phillips reminded everyone of Santa coming to town on the firetruck this Saturday at 8:00 a.m.

The Mayor stated there is a need to enter executive session for the purpose of discussing possible litigation and there will be one more agenda item to vote on after the executive session. Councilman McAlpine made a motion to enter executive session at 6:15 p.m. Councilman Alexander seconded and the motion carried with all ayes.

Mayor Phillips and Council Members: Alexander, Bradley, McAlpine, Pierce and Underwood were present in the executive session. Also, present were Alex Smith, Brandon Horton and Amanda Cole. The executive session started at 6:15 p.m. Councilwoman Pierce made a motion to exit the executive session. Councilman McAlpine seconded and the motion carried with all ayes. The Mayor and Council exited executive session at 7:07 p.m.

Alex Smith stated the over the past several weeks the city has received several complaints of business license no. 10333 causing a nuisance for adjacent property owner. Alex mentioned if the temporary moratorium is approved it will amend the smoking portion of business license no. 10333 but will not affect the retail and alcohol portion of the business. Alex stated pending approval the business owner will not be allowed to smoke indoors for a maximum of thirty (30) days until the mitigation issue causing the nuisance is properly fixed. Matteo Penso spoke on behalf of his business explaining that he has done everything required of him and he feels if the temporary moratorium is approved it will kill his business. Mayor Phillips assured Mr. Penso that this is not a personal issue and the situation has not been dealt with lightly but the fact is the city has received over twenty-five complaints. Councilwoman Pierce made a motion to approve the referenced temporary moratorium on business license no. 10333. Councilwoman Underwood seconded; Councilman McAlpine nah; Councilman Alexander aye; Councilman Bradley nah.

Mayor Phillips wished everyone a Merry Christmas and entertained a motion to adjourn. Councilwoman Pierce made a motion to adjourn the council meeting. Councilwoman Underwood seconded and the motion carried with ayes. The council meeting ended at 7:20 p.m.

Mayor

City Clerk

