



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
WORK SESSION**

**MONDAY, JUNE 21, 2021 – 6:51 PM  
VIA TELECONFERENCE AND AT CITY HALL**

**ELECTED OFFICIALS PRESENT:**

David Eady – Mayor  
George Holt – Councilmember  
Jim Windham – Councilmember  
Avis Williams – Councilmember  
Lynn Bohanan – Councilmember  
Laura McCanless – Councilmember

**APPOINTED/STAFF PRESENT:**

Matt Pepper – City Manager  
Marcia Brooks – City Clerk/Treasurer  
Jody Reid – Utilities & Maintenance  
Supervisor

**ELECTED OFFICIALS NOT PRESENT:**

Jeff Wearing – Councilmember

**OTHERS PRESENT:** Art Vinson, Laura Gafnea (Oxford College), Michael Ready, Cheryl Ready, Susan Roan, Steve Roan, Jackie Ellis

**Agenda (Attachment A)**

**1. Mayor's Announcements**

Mayor Eady announced the passing of Hoyt Oliver, who made many significant contributions to the City of Oxford. On behalf of the City, he extended his heartfelt condolences to the family of Mr. Oliver.

Mayor Eady announced two modifications to the agenda. Proposed zoning changes presented during the Public Hearing will be discussed along with the Chapter 4 Zoning Text Amendments. A proclamation from the Newton County Commissioners that requires Mayor Eady's signature has been received and needs to be discussed. This item will be discussed after the City Mask Resolution. The revised agenda is as follows:

1. Mayor's Announcements
2. Committee Reports
3. Planning Commission Proposed Zoning Changes
4. City Mask Resolution
5. Proclamation from the Newton County Board of Commissioners (BOC)
6. Meter Discussion
7. Annual Audit Services

8. Work Session Meeting Review
9. Adjourn

## 2. Committee Reports

- a. Trees, Parks and Recreation (TPR) Board  
The TPR Board has been working extremely hard on two projects: the Emory Street Revitalization Plan and a tree inventory to be conducted by an intern. They also have a committee meeting regarding the park later this week.
- b. Planning Commission – Matt Pepper stated that the Planning Commission report will be included in Item 4 of the revised agenda.
- c. Downtown Development Authority (DDA) – Mike Ready stated that the DDA has been doing some work on the City green to prepare for improvements to the area. Red flags designate where fences will be. There will not be any swing gates. They have a meeting for June 22<sup>nd</sup> to discuss purchasing materials for the fencing. They are trying to design the parking to run East to West to accommodate more vehicles and reduce wear and tear on the ground.
- d. Sustainability Committee – Laura McCanless advised the committee met this morning with a student from Oxford College they are working with. He has been reviewing sustainability plans from other cities in Georgia and presented his results. The committee is planning to send out a survey to citizens to gauge their interest and desires regarding recreational opportunities along Dried Indian Creek. They hope to send it out in the next utility bills, and it will also be available on the City's website.
- e. Committee on Race – Avis Williams announced that the committee is working on an official announcement along with some historical data regarding the designation of Juneteenth as a federal holiday. This announcement will be placed on the City's website. A new pastor for Rust Chapel United Methodist Church will be joining their committee following the reassignment of Johnetta Johnson. They will have more to announce regarding Juneteenth and an end-of-year celebration after their next meeting.

## 3. Planning Commission Proposed Zoning Changes (Attachment B)

Matt Pepper presented conceptual ideas for proposed text amendments to Chapter 40 of the City's Zoning Ordinance. The Planning Commission has worked on the listed items for several months. They represent challenges the commission and citizens have faced over the years, with the goal of providing more flexibility in the areas of Nonconforming Use (§40-575); Variances (§40-712 and §40-713); and Development Permit (§40-841). If the City Council approves these proposed changes, Mr. Pepper recommends that the City engage with David Strickland or with the Northeast Georgia Regional Commission (NEGRC) to craft the actual text of the amendments.

James Windham recommended adding language at the end of the Development Permit text to the effect that any repairs made to existing HVAC, plumbing, gas, or electric utility systems must conform to international codes.

Matt Pepper clarified that this change would not preclude an individual from obtaining the proper trade and building permits for their project but would eliminate the need to come before the Planning Commission for a development permit before making repairs or improvements which do not impact other zoning requirements.

Mayor Eady stated that the international codes are incorporated by reference in the City of Oxford building codes, but it would be a good cross-reference to include it here as well.

Art Vinson stated that it sounds like there is wider latitude for repairs or improvements to be done without a development permit, but no relief to the quality or the standardization of the requirements related to such repairs or improvements. He agrees with this approach.

Mayor Eady agreed with Mr. Vinson's assessment. He did acknowledge that if the cost to make repairs is 50% or more of the value of the structure, it triggers the property owner having to conform to the zoning requirements of the property.

Mr. Windham expressed his support for the recommended amendments.

Regarding the proposed changes to zoning designations for specific parcels on Emory Street and East Clark Street, Mr. Windham wanted to know why the Planning Commission initiated the action they are recommending. Mayor Eady advised this has been discussed in work sessions and the City Council also had the Planning Commission attend a meeting to discuss it. About ten years ago there was a landowner who wanted to install a subdivision that would be higher density than the properties in that area had been. The City Council also received the drawings from the Metropolitan Studio in 2006 which led to the designation of the Town Center with higher density allowed.

Since that time, three homes have been constructed on East George Street on larger pieces of property, and Emory University has purchased several privately-owned parcels. The likelihood of seeing higher density development on the East side of Emory Street is very low. The subdivision standards are still in the code if someone wishes to install one. However, for the most part, the nature of the development of these parcels has been a continuation of what was already there. Their request outlined their responses to the evaluative criteria in §40-638(g).

Mr. Windham contended that the Planning Commission's rationale for making their recommendation is not in the memo presented to the Council. He wants to see this information in writing before he votes on their recommendations.

Mayor Eady stated that the Council asked the Planning Commission to broaden the scope of their recommendation to include the R-7.5-zoned properties that are not currently in the

Town Center District. Mr. Windham asked when that occurred. Mayor Eady stated it was when the Planning Commission came to the City Council work session.

Mike Ready affirmed Mayor Eady's statement and added that keeping the density at R-7.5 would allow commercial enterprises to establish businesses on these parcels. Mayor Eady stated that changing these parcels back to the lower density designation they had prior to the change of R-20 is consistent with the actions taken and the desires of the homeowners in the past ten or so years since the change.

#### 4. **City Mask Resolution** (Attachment C)

Mayor Eady stated that since the City Council passed its mask resolution, there has been great progress in vaccinations around the nation. Notwithstanding the vaccination rate in Newton County, which is lower than the national rate, the CDC has published updated guidance regarding precautions against contracting COVID-19.

If a person is fully vaccinated, they do not pose a risk to others and are protected from getting the virus. These individuals no longer need to wear a mask and socially distance from others. If a person is not fully vaccinated, precautions should still be observed, including wearing a mask and socially distancing.

Mayor Eady would like to propose that employees and patrons be relieved from the requirement to wear a mask and socially distance. This will be based on the honor system. No one will be required to show proof that they have been vaccinated. He would like to amend the resolution so that the City's requirements align with CDC guidance. He hopes that this change will incentivize those employees who have not been vaccinated to get their vaccinations.

George Holt stated he has a problem with the honor system. However, he will not vote against what the Mayor is proposing.

Avis Williams stated that at her school, their amendment strongly recommends wearing a mask.

Lynn Bohanan also had concerns with the honor system. She feels it is wiser to require a mask. Mayor Eady asked her if that should include employees. She stated that the employees have barriers to protect them from exposure. Mayor Eady stated they should be advised they do not have to wear a mask if they have been vaccinated and do have to wear one if they have not been vaccinated.

Mr. Holt stated there is no way to know who has and who has not been vaccinated.

Ms. Bohanan asked if the City can require employees to prove that they have been vaccinated. Mayor Eady stated that requirement has not really been tested. Mr. Holt stated he does not think the City can require proof of vaccination. Mayor stated his belief that the City cannot require employees to get vaccinated but can require employees to wear a mask and socially distance if they have not been vaccinated.

Laura McCanless understands the point made by Lynn about employees. She also feels that the fact that the CDC supports the honor system makes it difficult for the City to take action to require proof of vaccination. The State of Georgia is taking a more relaxed position towards mask wearing, but as a biologist she feels that the more relaxed stance is encouraging the sharing of germs which will make the virus more resistant to vaccinations.

Mayor Eady stated he wants to reward the employees who have gotten vaccinated the liberty to go without a mask in the workplace, because science tells us this is safe. He does not want to be the morality police and dictate the mask requirements in policy by requiring proof of vaccination.

James Windham believes if City employees within the City Clerk's office have been vaccinated and choose not to wear a mask and their coworkers are comfortable, they should not have to wear a mask within the confines of their office. When interacting with the public, they should offer to wear a mask. This would also apply to the Public Works/Maintenance staff.

George Holt agreed with Mr. Windham's recommendation.

5. **Proclamation from Newton County Board of Commissioners** (Attachment D)

The City of Oxford has been asked by the Newton County Board of Commissioners to sign a proclamation recognizing and celebrating the Bicentennial of the County's founding. They also want to present a flag to the City. The City's procedure has been that such requests will be discussed in work session. The City just received this request earlier today. The proclamation does not address the flag, but Chairman Marcello Banes wants to present the flag during a work session and sign the proclamation. The flag can be displayed in the City Council room.

The Councilmembers present had no concerns with signing the proclamation.

Mayor Eady wished to go on record concerning the proclamation. Lately he has done a great deal of reading on the peoples who were in this area for thousands of years prior to its colonization by Europeans. There were initial deaths resulting from exposure to diseases and significant displacement due to physical removal of native peoples from this area to facilitate settlement. Mayor Eady has a little concern with celebrating our rich history, heritage, culture, and community without acknowledging the extremely rich history, heritage, culture, and community that existed here for thousands of years prior to December 24, 1821.

He does not intend to disrespect that Newton County wishes to celebrate that it has been here for 200 years, but we should also celebrate that there were people here with a very rich culture for thousands of years prior to that time. That was part of his initial hesitancy to sign the proclamation. He is not trying to influence the Councilmembers' positions, but he has become extremely sensitized lately in trying to understand what went before us, in part because of our interest in protecting and preserving the creek, which has an inappropriate name.

James Windham and George Holt expressed support for Mayor Eady's position. Mr. Windham suggested asking Chairman Banes to add an addendum to the proclamation. Mayor Eady stated that change would be requested.

## 6. **Meter Discussion**

Mayor Eady stated that a few years ago a water line burst at the College Walk apartments. Upon investigation it was determined that the water line was on private property, and forty water meters were on the private side of the line. There is now a similar situation on the private driveway commonly known as E. George Street. A water line was installed many years ago by a private landowner to service the homes there at that time. The water line sits within a perpetual easement serving as a common driveway for the landowners. It is leaking and the City is losing water due to the leak.

Avis Williams wanted to know what the expense would be to fix the line. Mayor Eady stated it is difficult to know how much pipe would need to be replaced until the line is dug up. The asphalt, which was also installed privately, would have to be replaced.

James Windham recommended negotiating with the landowners to try to get them to pay part of the cost of repairs. The City needs to work out something with the landowners because they were not aware of this issue when they purchased the property.

George Holt stated he does not think the City has any responsibility to fix a water line on private property. The easement does not convey any authority for the City to work on private property. Mayor Eady pointed out that the City is paying for the lost water. Mr. Holt stated the lost water should be charged to the landowners. He stated a meter should be installed in City property before the meters on the private property.

Laura McCanless agreed with Mr. Holt. She recommended that if the landowners do not agree to fix the leak, the City should install a meter at the road on Emory Street and bill the landowners for the difference between their meters and the City meter.

Mr. Windham stated that this situation should incentivize the landowners to deed property to the City to install a road that meets zoning and ordinance requirements, and the City will maintain the utilities.

Mayor Eady stated that he has had a preliminary discussion with the landowners concerning the easement, but he can revisit the issue with them in light of the leak and Jody Reid's findings when he investigated it.

Mr. Holt stated that the City needs to come back and revisit this issue in the near future as it pertains to all impacted properties within the City limits.

## 7. **Annual Audit Services** (Attachment E)

Mayor Eady stated that the City pays for annual audit services from an independent auditor. The City has used the same auditor for a number of years and decided to put the job out for bids. Three bids were received. The lowest bid came from the company that is

the largest and has the most experience doing municipal audits. The bids are listed on the bid summary. The City Council will vote on this proposal in July.

Matt Pepper added that the contract is for five years with a two-year option. The costs escalate each year. Charles Hall has recommended that the City engage with the low bidder, Mauldin & Jenkins, for these services.

George Holt added that Matt Pepper and Marcia Brooks spent a considerable amount of time vetting the bidders.

#### **8. Work Session Meeting Review**

- a. Planning Commission text amendments – Matt Pepper will contact NEGRC to find out if they have the bandwidth to work on the actual amendment text.
- b. City Mask Resolution – will be discussed in the Special Called Meeting following this work session.
- c. Meters – Mayor Eady to discuss options with homeowners.
- d. Annual Audit Services – City Council will vote on the recommended bid on July 6, 2021.
- e. Proclamation – Mayor Eady will request amendment.

#### **9. Adjourn**

Mayor Eady adjourned the meeting at 8:16 p.m.

Respectfully Submitted,

Marcia Brooks  
City Clerk/Treasurer