

**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
REGULAR SESSION  
MONDAY, MAY 7, 2012 – 7:00 P.M.  
COMMUNITY CENTER, OXFORD, NEWTON, GEORGIA**

**MEMBERS PRESENT: JERRY D. ROSEBERRY, MAYOR; DAVID EADY, MAYOR PRO-TEM; COUNCIL MEMBERS JIM WINDHAM; TERRY SMITH; FRANK DAVIS; GEORGE HOLT; LYN PACE**

**OTHERS PRESENT: LaTrelle Oliver, Hoyt Oliver, Chief Dave Harvey, Tom Turner, Sue Turner, Virgil Eady, Louise Eady, Sarah Standard, Daniel Standard, Anderson Wright, Mary Gene Elliott, Patsy Burke, Neil Penn, Carol Penn, Richard Williams, Tammy Wood**

The meeting was called to order by the Honorable Jerry D. Roseberry, Mayor, and the invocation given by Council member Lyn Pace.

Pledge of Allegiance

**OLD BUSINESS**

**A motion was made by Windham, seconded by Smith, for the approval of the Minutes of the April 2, 2012 Mayor and Council Organizational Meeting. The Council vote was unanimous.**

**A motion was made by Pace, seconded by Windham, for the approval of the Minutes of the March 13, 2012 Minutes of the Oxford Planning Commission. The Council vote was unanimous.**

**A motion was made by Holt, seconded by Eady, for the approval of the May 7, 2012 Agenda. The council vote was unanimous.**

**NEW BUSINESS**

**PLANNING COMMISSION RECOMMENDATIONS/PETITIONS**

Speaking on behalf of the planning commission, Patsy Burke announced the results of the Special Called Meeting on May 1<sup>st</sup>, in which the college was approved to place a temporary 24'x56' building on the site of the current basketball court and also to store books in Lilburn hall.

**CITIZENS COMMENTS/CONCERNS**

**MAYOR'S REPORT**

When no citizen concerns were voiced, Mayor Roseberry proceeded to state that the city charter charges the Mayor to prepare the annual budget to be presented to the council for the beginning of the new fiscal year. Last year, the city changed the fiscal year from a calendar year to one that matches the state and county, which is July 1 to June 30. He detailed the benefits of doing so, and stated he and Councilman Holt have plans to meet with the county to begin the negotiations on May 8<sup>th</sup>. The first Budget Work Session will be on May 21<sup>st</sup> at 6:00pm. The rules and requirements in regards to preparing

a municipal budget which will be covered in that meeting. The first reading of the budget will be on June 4, followed by a called meeting on June 18 for a final reading and a vote to adopt the budget.

In reference to business of the council, Mayor Roseberry reviewed the fact that in March of 2010, the city joined with the other government agencies in Newton County to approve a resolution to participate in the creation of a sustainable future for Newton County known as the "2050 Build By" Plan. He explained that this simply means all agencies will work together to build and plan as efficiently as possible.

**A motion was made by Windham and seconded by Smith to formally recognize the Newton County Public Infrastructure and Facility Siting Workgroup. The vote was unanimous.**

#### **George Holt/Finance**

Mayor Roseberry called upon Councilman Holt, who stated the budget is in progress but the Tax Digest from the County for 2013 has not yet been received. He explained that the rollback rate has been accepted in recent years, and for budgetary purposes the Mayor agreed that is the consensus at this time as well. Holt asked if a resolution was needed to accept the roll back rate, but Mayor Roseberry stated the announcement was sufficient at present time.

#### **Clark Miller/City Manager**

Clark Miller was called upon regarding the budget. Miller stated he has completed two budgets, the general/government budget and the capital budget. These budgets are ready to go through the budget review process and include staffing recommendations, alternatives, input from department heads, and requests for equipment.

Mayor Roseberry stated that the Georgia legislature has passed legislation regarding open meetings and open records, and he called upon city attorney David Strickland to bring everyone up-to-date regarding these changes.

Strickland explained that open meetings and open records are both covered under one act, which was amended in House Bill 397. The general idea for amending was to close loopholes, allowing for more transparency and accountability to the public and residents of the city. The definition of a meeting has been expanded to cover more unofficial gatherings of the quorum; however, there are some exceptions. If the quorum meets with the intent to tour a plant or building that is not considered a meeting. Attending the GMA conference is not considered a meeting. Meetings with state and federal officials are not classified as an open meeting. Social events such as weddings or funerals, do not count as an open meeting; however, any of these cases could be reversed if intent is proven otherwise. Executive sessions and open sessions were clarified in regards to real estate. For open meetings, notice must go out a week in advance, with notice posted a week in advance on the website if one exists. Votes must include motions, seconds, and how each individual member voted by name. Executive sessions can be reviewed by a judge. Agencies with statewide association can do teleconference, but local cannot except in

emergency situations such as illness or out-of-state emergencies. Email meetings including the quorum do not count, but Strickland advised they are public record. If someone brings up inappropriate topics in executive session, they are to be ruled out of order. If this person refuses to observe guidelines of an executive session, the meeting should be closed and that person can be penalized for violations.

In regards to open records, Strickland went on to clarify the legal amount to charge for copies of open records is \$.10 per page plus time of employee. Any person requesting records anticipated to cost more than \$500 can be required to prepay. Serial offenders of people asking for extensive records and then not paying can be required to prepay. Sealed bids are not subject to disclosure until after bid is awarded or project is terminated or abandoned. City employees preparing open records are required to redact or remove certain personal information before release of records. Strickland then asked for questions.

Councilman Windham asked if digital copy can be given in lieu of hard copies. Strickland advised that this is up to the customer. He also stated that city employees are not required to create new reports or do the work for the customer; they are only required to provide copies of the information. David Eady asked if a PDF was a valid way to release information. Strickland stated the customer can view information such as minutes online or be given a burned disc of the information. Strickland then clarified a committee meeting for Terry Smith.

#### **Lynn Pace/Public Safety**

**A motion was submitted by Lyn Pace to increase the speed limit on East Richardson Street to 30mph. Frank Davis seconded. The council vote was unanimous.**

Mayor Roseberry called upon Chief Harvey to explain the reasoning behind this decision.

Harvey, The reason we're going back to 30mph, that's the original speed limit and the council voted to have a central speed limit of 25mph throughout the city with the exception of Hwy 81. We would no longer be able to run radar on E. Richardson because the Department of Transportation came out and said they wouldn't approve it at 25mph but they would approve it at 30, where it was previously. So we're just changing it back to 30.

Clark, The reason for the request is complaints?

Harvey, Right. Traffic going to the new school, picking up kids, the main reason for going back to 30 is so we can continue running radar.

#### **Frank Davis/Solid Waste**

Davis, most of you know that we sent out requested proposals to privatize sanitation. We received two bids, and I think the representatives for both companies are here. What I would like to do is go ahead and ask them if they have anything to say about their proposals. We have Select and Mr. Latham.

Select, my name is Greg Allen, and I'd like to answer any questions anyone has about the proposal.

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Hoyt Oliver, I assume both proposals include both the trash and recyclables but not the yard waste.

Select, that is correct.

Tom Turner, How many counties do you service?

Select, Walton County and Walnut Grove, and have for five or six years. Some have called other cities and gotten unsatisfactory comments, but I don't think anyone has called the city of Walnut Grove. And I know since we have serviced the city of Walnut Grove, I don't think we have had one complaint.

Turner, have you serviced any other cities?

Select, Not currently, just Walnut Grove, but the cities of Lexington and Isla can be contacted for references.

Turner, how do you deal with your recyclables?

Select, now I'm not sure how the city of Oxford does it but we run a separate truck and we carry the recyclables to Lawrenceville.

Turner, Lawrenceville?

Select, Yes sir.

Turner, Why not Atlanta?

Select, well really it's closer to go to Lawrenceville which they probably do ship it to Atlanta. It's just more economical to go to Lawrenceville, from where we're at in Monroe.

Turner, Okay thank you.

Windham, I'd like to ask a question. If we were to contract with your company what do you anticipate in picking up garbage- is it a single day pickup and recycling as a separate component, is that going to change?

Select, our anticipation is that the recycling will be picked up on the same day as the trash.

Latham, Same day, one day pickup for garbage.

Windham, Elderly citizens that are unable to push their carts to the road, are you anticipating going back and picking those carts up for them? Will you go to their back door, pick it up, and return it to their back door?

Select, Yes sir. We do that right now for Walnut Grove.

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Windham, And all we would have to do is give you a list of those people, is that correct?

Select, Yes sir.

Patsy Burke, I have a question. Are the trucks in good enough repair that there will be no leakage on the streets?

Select, that is correct. All of our trucks are DOT inspected.

Windham, will the size of the trucks be detrimental to our streets in any way, shape, form, or fashion?

Select, No sir.

David Eady, I have a question about the capacity of the trucks, what size trucks are you using to pick up garbage and recyclables?

Select, we have an 11 yard and a 20 yard truck. The recyclable truck is a smaller version of the garbage truck, so people see it going down the street and think it's the trash, but that's not the case.

Frank Davis, Does it matter to you which days you pick up in Oxford? Can you do Tuesdays?

Select, we could probably arrange that.

Davis, we use to pick up on Monday but our county landfill chose to take a lot of holidays on Monday, so we moved it to Tuesday so we didn't run into that problem. Trash had to sit overnight.

Select, I don't think that will be a problem.

Windham, all of us are not used to Tuesdays...

Davis, well they're going to have to get used to Tuesdays, I think. (Laughter)

Eady, Question, and how many people do you have typically running on each truck?

Latham: Normally on each truck we have two people, one driver and then one guy on the back. We're a big time recycling company. We have 11 cities we do recycling for. We increase recycling everywhere we go.

Eady, so you're running two trucks- one's running recycling and one's running garbage.

Latham, yes that's correct.

Eady, do we have adequate references for municipal services for Mr. Latham?

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Windham, yes we require the same for anyone.

Eady, so what cities around here are you currently servicing both garbage collection and recycling?

Latham listed several cities, including Sugar Hill, Lawrenceville, Decatur, Madison, Milburn, and Avondale.

Windham, how do you anticipate handling complaints?

Latham, you'll have my cell phone number and my partner's cell phone number. And our driver will check with you at the end of the day to make sure there are no issues.

Windham, He'll check with City Hall?

Latham: Yes sir.

Tom Turner, Who do you do garbage collection for?

Latham: Right now we don't do garbage. Four years ago we got out of the garbage business, got into recycling; now we are going back into garbage. We have been in business since 1974.

Davis, Anyone else has a question?

Tammy Wood, I think a couple of us are wondering- I mean, if it's a sure thing we are going to do this?

Davis, No it has not been decided yet. We will discuss it at the next work session which is on May 21<sup>st</sup>, which is our budget session. And it will be voted on at our council meeting in June.

Wood, thank you.

Davis that is the plan. Thank you.

#### **Terry Smith/Utilities and Public Works**

Smith, This motion is to redo a motion that we did last month due to a typographical error. It's a resolution prepared by MEAG.

**The motion was made by Terry Smith and seconded by Frank Davis to adopt a resolution naming Jerry Roseberry, Mayor, Clark Miller, City Manager, and Terry Smith, Councilmember, as the Authorized Officials to communicate with MEAG Power regarding city decisions with respect to the Trust by jointly executing written directions to MEAG Power and the Trustee.**

Attachment A & A1 & A2

**Jim Windham/Building and Grounds, Parks, Trees**

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Councilman Windham presented a power point presentation of the suggested improvements to the Old City Hall. Eady asked if it would be fully operational by fall, to which Windham responded, yes by late August and the interior of the Copy Center must be completed by June, because it is occupied now.

**INVOICES OVER 1,000.00**  
 Routine Monthly Bills Paid

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
BB&T	Loan Pmt./Community Center/City Hall April	6,146.25
BB&T	Loan Pmt./Mtnc. Facility March	7,405.94
BB&T	Loan Pmt./Mtnc. Facility April	7,405.94
Wagner Services	April	1,473.00
Southeastern Power Admin	SEPA Energy Cost March	2,765.10
N.C. Water & Sewer	Plant O & M March	6,297.95
NC BOC	Water Purchase Cornish Creek (March)	6,743.00
NC BOC	Landfill Fees March	1,612.45
GMEBS	Retirement Trust April	7,049.59
GIRMA 54,890.00	Liability INS for 5/2012 – 5/2013	
Utility Service Co.	Quarterly Tank Mtnc Fee	2,361.15
City of Covington	Quarterly Sewer Fee 12/30 – 3/31	8,214.00
N.C. Water & Sewer	Bond Interest Payment for May 1, 2012	3,705.00
<b><u>PURCHASES/CONTRACT LABOR</u></b>		
Associated Staffing	Temp Service 3/19 – 3/23	1,347.36
Associated Staffing	Temp Service 3/26 – 3/30	1,347.36
Associated Staffing	Temp Service 4/2 – 4/6	1,374.44
Associated Staffing	Temp Service 4/9 – 4/13	1,407.51
Associated Staffing	Temp Service 4/16 -4/20	1,323.30
Alexander Royston, LLP	Legal Services for April	2,196.00
<b><u>APPROVED CONTRACTS</u></b>		
MHB Paving, Inc.	Clark Street	12,016.55
Townsend	Power line Tree Trimming	3,605.60
Dials Diesel	Repair of Chipper Truck	3,215.03
Gresco Utility Service	Utility Poles	2,888.00
Air Condition Specialists	4 Units for Old Church	8,345.00
Roberts Tree Service	Removal of Trees 2/Asbury, 1/Bonnell, /Wesley	1,575.00

**A motion was made by Terry Smith to approve invoices, seconded by George Holt.**

**A motion to adjourn the meeting was made by Jim Windham, seconded by Terry Smith.**

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Respectfully Submitted

Lauran S. Willis  
City Clerk

Attachments: