



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
REGULAR SESSION  
MONDAY, January 4, 2021 – 7:00 PM  
Via Teleconference**

**ELECTED OFFICIALS PRESENT:**

David Eady – Mayor  
George Holt – Councilmember  
James Windham – Councilmember  
Jeff Wearing – Councilmember  
Laura McCanless – Councilmember  
Avis Williams – Councilmember  
Lynn Bohanan – Councilmember

**APPOINTED/STAFF PRESENT:**

Matt Pepper – City Manager  
Marcia Brooks – City Clerk/Treasurer  
Jody Reid – Public Works Supervisor  
Dave Harvey – Chief of Police  
C. David Strickland – City Attorney  
Cheryl Freeman – Municipal Court Solicitor

**OTHERS PRESENT:** Johnnetta Johnson (Rust Chapel United Methodist Church), Mike Ready, Art Vinson, Juanita Carson, Laura Gafnea (Oxford College)

1. The meeting was called to order by the Hon. David Eady, Mayor.
2. Invocation – Johnnetta Johnson (Rust Chapel United Methodist Church).
3. Pledge of Allegiance.
4. C. David Strickland presided over the City of Oxford annual Organizational Meeting. Mr. Strickland administered the Oath of Office to Mayor David S. Eady and Councilmembers George Holt, James Windham, Jeff Wearing, Laura McCanless, Avis Williams, and Lynn Bohanan.
5. **A motion was made by George Holt to accept the Agenda for January 4, 2021. Avis Williams seconded the motion. The motion was approved unanimously (7/0).**  
(Attachment A)
6. **A motion was made by George Holt to accept the Consent Agenda for January 4, 2021. Avis Williams seconded the motion. The motion was approved unanimously (7/0).** (Attachment B)
7. **Mayor's Report**  
The Oath of Office for Special Committees continuing to serve was administered to the following individuals. Marcia Brooks administered the oath to C. David Strickland, and Mr.

Strickland administered the oath to the other individuals. They were also approved for service to the City of Oxford in 2021.

- a. C. David Strickland – City Attorney  
**A motion was made by George Holt. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).**
- b. Cheryl Freeman – Municipal Solicitor  
**A motion was made by George Holt. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).**
- c. Marcia Brooks – City Clerk/Treasurer  
**A motion was made by George Holt. Laura McCanless seconded the motion. The motion was approved unanimously (7/0).**
- d. Dave Harvey – Chief of Police  
**A motion was made by George Holt. Avis Williams seconded the motion. The motion was approved unanimously (7/0).**

**George Holt made a motion to approve the appointment of Steve Hathorn as Municipal Court Judge for the City of Oxford for the year 2021. Avis Williams second the motion. The motion was approved unanimously (7/0).**

Judge Hathorn was unable to attend the meeting. His oath will be administered at a later date.

8. **Mayor Pro-Tem for 2021** (Attachment C)  
The Mayor Pro-Tem for 2021 needs to be selected by the Mayor and City Council. A list of the Mayors Pro-Tem for the past fifteen years has been provided.

**Laura McCanless nominated George Holt for Mayor Pro-Tem for 2021. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).**

Mayor Eady noted that this action also makes Mr. Holt the alternate delegate for Electric Cities of Georgia (ECG) and Municipal Electric Authority of Georgia (MEAG) meetings.

9. **Planning Commission Recommendations/Petitions**  
None other than item #11 on the agenda.

10. **Citizen Concerns**  
None.

11. **Minor Subdivision Request** (Attachment D)  
The Planning Commission recommends the approval of a minor subdivision for Tony Ellis for his properties located along E. George Street as noted in the signed copy of the plat presented.

Jeff Wearing asked if it is actually a subdivision request. Mayor Eady explained that it is referred to as a minor subdivision in the Oxford zoning ordinance.

George Holt expressed concern with calling the request a subdivision because E. George Street is not a legal street. It does not meet requirements for a legal street. Mayor Eady stated there is a distinction in the Oxford zoning ordinances between a minor and a major subdivision. In this particular request, there is no further subdivision of the lots into more lots than there are now. The request is due to redrawing of the lots to make them more marketable to potential buyers. The street has been deeded over to the City and is a City street by record. Mr. Holt stated that a street sign should be placed there. He also believes that designating the property as a subdivision will place obligations on the City for this street. He asked if a fire truck can get down the street.

Jody Reid stated that the street is about 10 feet wide, and the garbage truck goes down the street every week. Mayor Eady clarified that according to the plat, there is a 15-ft. right-of-way.

James Windham asked when and how the street was deeded to the City of Oxford. Mayor Eady stated he does not have exact details, but Matt Pepper did confirm with Robert Jordan that it is owned by the City.

Mr. Holt is not opposed to what Mr. Ellis is trying to do but believes that it is being handled the wrong way. Mayor Eady explained that this is a different situation than if a landowner wanted to subdivide property that has not previously been divided. In this instance, Mr. Ellis is only trying to redraw the property lines.

Mr. Holt reiterated his belief that approval of this request will obligate the City to ensuring that there is adequate space for ingress and egress from this street for safety reasons. Mayor Eady reminded the City Council that at the December work session it was stated that the City Council would come back and review the rights-of-way and determine if any additional property is needed for this purpose.

Mr. Holt stated that normally the property owner takes care of all infrastructure for a subdivision and the City does not have to acquire any property. Mayor Eady stated that the Planning Commission worked with Mr. Ellis to ensure this request conforms to the requirements for a minor subdivision. They are not asking to develop a subdivision. They are requesting to re-subdivide the existing properties.

The status of E. George Street as a city street was confirmed by Robert Jordan as part of the right-of-way verification he completed and reconfirmed by the survey Mr. Knight completed for the plat presented at this meeting. Matt Pepper added that Mr. Jordan was able to confirm that as early as 1982 there was a 15-ft. strip of right-of-way there. He did confirm that there may be some nuances in terms of whether the City has maintained the street.

Ms. McCanless stated that she understands Mr. Holt's concerns about future obligations if a property owner wishes to subdivide one of the lots. However, she believes tonight the City Council is only approving the proposed property lines. Mayor Eady clarified that the City Council is approving the plat that represents the redrawing of property lines as certified by the surveyor, John Knight, submitted by the property owner Tony Ellis, and recommended for approval for the Planning Commission.

Mr. Holt indicated the problem he has is calling it a subdivision. He stated that this term was not used when it was previously discussed.

**James Windham made a motion to approve the request for a minor subdivision. Jeff Wearing seconded the motion.**

Discussion:

Mr. Windham stated that E. George Street is not a standard street for the City of Oxford. He believes it was originally created as a driveway, and it has not been maintained by the City. He urged the City Council to do what is necessary to make E. George Street conform to the City of Oxford standards for a street. The fact that the street is 15 feet wide shows that it was planned originally as a driveway.

Ms. McCanless asked if the City, in order to make the street conform to standards, would have to obtain more property, by condemnation or some other method. Mr. Holt stated this is one of his concerns, that normally the infrastructure would be paid for a subdivision by the property owner, but approving this request puts the City in a position to spend money to do this. Mayor Eady stated that increasing the right-of-way to widen the street would be a separate discussion because it involves properties not included in this request.

Mr. Holt and Mr. Windham wish to go on record that they believe there should be a proper street there if the request is approved. Mayor Eady stated that this was discussed at the December work session. Mr. Holt stated that if the request is approved, the cost to bring the street up to City standards will be at the City's expense. Mayor Eady stated that will be the case anyway.

Mr. Windham stated that he made a motion with reservations. Mayor Eady asked Mr. Windham to clarify his motion.

**Mr. Windham clarified that his motion is to approve the minor subdivision request with the understanding that the City Council will move forward with making E. George Street a standard street. He wants it to be known that he and Mr. Holt are opposed to the current condition of the street.**

Mayor Eady asked Mr. Windham if he is placing a condition on approval of the request to approve a minor subdivision based on the plat submitted, which redraws the current property lines.

**Mr. Windham withdrew his motion.**

Ms. McCanless asked if approving this request would cause the City of Oxford to lose any advantage with regard to acquiring the property necessary to expand the right-of-way to bring E. George Street up to standard. Mr. Windham stated the City would still be able to acquire the property, but it may cost more.

Mr. Wearing disagreed. He stated that Tony Ellis is only trying to redefine the property lines with this request, and it has nothing to do with the street. Mayor Eady confirmed that the right-of-way was not modified on the survey plat. He also confirmed that the City of Oxford is within its powers to engage the property owners to purchase additional land to expand the right-of-way or condemn the land if a property owner is not willing to negotiate with the City.

Ms. McCanless stated she is in favor of re-subdividing the land per the request from Tony Ellis, she just wanted to ensure that the City is not “shooting itself in the foot,” by approving the request.

**Jeff Wearing made a motion to approve the plat as presented. Avis Williams seconded the motion. The motion carried by a majority (5/2). George Holt and James Windham voted Nay.**

Mayor Eady asked Matt Pepper and Marcia Brooks to include the issue of the right-of-way for E. George Street on the January work session agenda. Mr. Windham stated he believes the City should obtain a quit-claim deed for the existing right-of-way because the City does not currently have a deed to that property. Mayor Eady advised there are multiple landowners to speak to but the City can attempt to obtain a quit claim deed. Mr. Holt stated his concern that the right-of-way property may belong to someone else.

**12. Solar Power Purchase Contract with MEAG (Attachment E)**

Mayor Eady stated the solar power purchase contract is not ready for the City Council's approval. This item should have been deleted from the agenda.

Jeff Wearing asked what percentage of the City's power will be solar once this agreement is final. Mayor Eady stated the demand for power on average is about 4 megawatts (MW) of power. The City's contract with MEAG requires the City to have 1 MW above that amount in reserve. When 4 MW of solar power is purchased, credit is given for 2 MW of power since solar power cannot be generated at night. Another portion is for Phases 1 and 2 of Plant Vogtle.

Mr. Wearing asked if the City Council has approved the contract. Mayor Eady stated the City has only approved committing to 4 MW, and the City will decide whether to approve the contract once negotiations are completed between MEAG and the solar provider. At that time, the City of Oxford will have exact rates for the contract and can vote on its approval or disapproval.

Mr. Wearing expressed concerns based on conversations he has had with other people that 4 MW is much too much to buy.

Mayor Eady stated this can be discussed at the work session. MEAG representatives can be asked to attend as well to review the numbers and answer questions.

13. **Emory Street Sidewalk Project Intergovernmental Agreement (IGA)** (Attachment F)  
The existing IGA between Covington and Oxford for the Emory Street Sidewalk Project has expired due to unexpected delays at Georgia Department of Transportation (GDOT). It details the specific on both the contracting requirements and payment process. Staff recommends that the City Council approve the revised IGA.

**George Holt made a motion to approve the revised IGA. Laura McCanless seconded the motion. The motion was approved unanimously (7/0).**

14. **Planning Commission Appointment**

Mayor Eady advised that the Planning Commission Appointment is being tabled to allow more time to review some suggested candidates. The candidates will be reviewed at the January work session and a selection made at the February regular session.

15. **Invoices** (Attachment G)

The Council reviewed the invoices paid by the City of Oxford for \$1,000 or more in December 2020.

James Windham asked why the City is paying to remove trees and shrubs at the cemetery. He was under the impression this was taken care of by the Oxford Historical Cemetery Foundation, Inc. Mayor Eady stated that tree removal has been in the budget and the City takes care of this. Jody Reid added that this is in the budget every year to remove old and damaged trees. Mr. Windham asked why this expense is not included in the agreement with the Foundation.

Mayor Eady advised that this topic can be discussed at the January work session. There was some discussion about this a few months ago and it was intended that the City Council revisit this arrangement. He confirmed that the Foundation contracts with a vendor to provide mowing and weed maintenance. They receive a portion of all burial rites sales, and the City supplements this with additional funds each year. They have about \$480,000 in principal and pay for the maintenance from the interest proceeds.

Laura McCanless pointed out that half of the City Council is new and is not familiar with the arrangement. George Holt asked that all City Councilmembers be provided with a copy of the agreement prior to the January work session.

Mayor Eady met with officers of the Foundation last summer and advised them the City would put the maintenance of the cemetery out for bids to see what the true cost would be. This was deferred due to the grounds being wet and more urgent business arising. The City Council will continue the discussion at the work session.

16. Adjourn

A motion was made by George Holt to adjourn at 8:18 p.m. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).

Respectfully Submitted,



Marcia Brooks  
City Clerk/Treasurer

**OXFORD MAYOR AND COUNCIL  
REGULAR MEETING  
MONDAY, JANUARY 4, 2021 – 7:00 P.M.  
CITY HALL (VIA TELECONFERENCE)  
A G E N D A**

1. Call to Order, Mayor David S. Eady
2. Invocation.
3. Pledge of Allegiance.
4. Organizational Meeting – C. David Strickland presiding.
  - a. Oath of Office for Mayor and Councilmembers continuing to serve:
    - i. David S. Eady – Mayor
    - ii. Lynn Bohanan – Post 1
    - iii. George Holt – Post 2
    - iv. Laura McCanless – Post 3
    - v. Avis Williams – Post 4
    - vi. Jim Windham – Post 5
    - vii. Jeff Wearing – Post 6
5. Motion to accept the Agenda for the January 4, 2021 Mayor and Council Regular Meeting.
6. **CONSENT AGENDA**
  - a. \* Minutes of the Regular Session December 7, 2020.
  - b. \* Minutes of the Work Session November 14, 2020.
  - c. \* Minutes of the Planning Commission November 10, 2020.
  - d. \* Minutes of the Trees, Parks and Recreation Board October 13, 2020
  - e. \* Minutes of the Trees, Parks and Recreation Board November 10, 2020.
7. Mayor’s Report – Oath of Office for Special Committees continuing to serve:
  - a. C. David Strickland, PC – City Attorney
  - b. Cheryl Freeman – Municipal Solicitor
  - c. Marcia Brooks – City Clerk/Treasurer
  - d. Dave Harvey – Chief of Police
8. **\*Mayor Pro-Tem for 2021** – We will need to appoint a new Mayor Pro-Tem for 2021. We have attached the list from the past 15 years.
9. Planning Commission Recommendations/Petitions.
10. Citizen Concerns.



11. **\*Minor Subdivision Request** – The Planning Commission recommends the approval of a minor subdivision for Tony Ellis for his properties located along E. George Street. We have attached have a copy of the signed plat.
12. **\*Solar Power Purchase Contract with MEAG** – We have an opportunity to diversify our power resources to include solar energy. Council will continue the discussions on the options related to the level of investment in solar resources the city is willing to undertake. We have attached the Power Purchase Contract and resolution.
13. **\*Emory Street Sidewalk Project Intergovernmental Agreement (IGA)** – The existing IGA between Covington and Oxford for the Emory Street Sidewalk Project has expired. It details the specifics on both the contracting requirements and payment process. Covington will approve the revised IGA at their meeting on January 4<sup>th</sup>. We recommend that Council approve the revised IGA. We have attached the agreement.
14. **Planning Commission Appointment** – Council will approve the nomination for a member of the city’s Planning Commission.
15. **\* Invoices** – Council will review the city’s recently paid invoices over \$1,000.
16. Adjourn.



**DRAFT MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
REGULAR SESSION  
MONDAY, December 7, 2020 – 7:00 PM  
Via Teleconference  
DRAFT**

**ELECTED OFFICIALS PRESENT:**

David Eady – Mayor  
George Holt – Councilmember  
James Windham – Councilmember  
Jeff Wearing – Councilmember  
Laura McCanless – Councilmember  
Avis Williams – Councilmember  
Lynn Bohanan – Councilmember

**APPOINTED/STAFF PRESENT:**

Matt Pepper – City Manager  
Marcia Brooks – City Clerk/Treasurer  
Jody Reid – Public Works Supervisor  
David Strickland – City Attorney

**OTHERS PRESENT:** Charlie Williams (Mt. Zion First Baptist Church), Mike Ready, Art Vinson,

1. The meeting was called to order by the Hon. David Eady, Mayor.
2. Invocation – Charlie Williams (Mt. Zion First Baptist Church).
3. Pledge of Allegiance.
4. **A motion was made by Avis Williams to accept the Agenda for December 7, 2020. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).**  
(Attachment A)
5. **A motion was made by Avis Williams to accept the Consent Agenda for December 7, 2020. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).** (Attachment B)
6. **Mayor's Report**  
Mayor Eady acknowledged and thanked Pastor Williams for his congregation's continued service to the community and willingness to serve as a focal point for those in need and a drop-off point for donations. He asked Pastor Williams for an update on COVID-19 community outreach.

Pastor Williams stated things are going well with the COVID-19 Relief Center. They have served over 70 families so far in this project. Resources have been donated by Oxford Organic Farm, the Oxford Dining Hall, the Oxford Lions Club, Grace United Methodist Church, and Ministry in Action.

They are collecting items every Monday, Wednesday, and Friday from 10:00 a.m. to 12:00 noon and distributing every Monday from 12:00 noon to 2:00 p.m. Volunteers are welcome to come and help. Pastor Williams recognized Laura Gafnea and Daniel Parsons from Oxford College for coming to help and for bringing items for donation. Charlie Phillips and Donna Sneed have provided support and Marcia Brooks has helped by putting information out on City of Oxford social media.

Items needed for the COVID-19 Relief Center are non-perishable food items, canned goods, fresh fruits and vegetables, fresh meat items, bottled water, hand sanitizer, bathroom soap, toilet tissue, other toiletry items, paper towels, clean cloths, baby supplies and shoes. On November 20<sup>th</sup>, the church started their feeding ministry back up and were able to service 95 people with meals.

They are planning to compile holiday boxes and need assistance from the community. In the past they have given out 15-20 boxes and hope to give out more this year. These boxes are given to families specifically recommended to the church. They plan to assemble the boxes on December 19<sup>th</sup>. The cost to sponsor a box is \$25. They will gladly accept monetary and non-monetary donations. Pastor Williams can be reached 404-250-2723 to recommend a family for a Christmas box. Each box includes a meat item, macaroni and cheese, green beans, cranberry sauce, a dessert, and ½ gallon beverage.

Mayor Eady stated that these efforts are the culmination of a coordinated effort to bring the resources of the community together to help alleviate the burdens brought on by the COVID-19 pandemic in the Oxford community. The group began meeting October 18<sup>th</sup> and includes the area churches, the City of Oxford, the Oxford Lions Club. Over Thanksgiving he had heard that people were looking for rides to First United Methodist Church in Covington for the meal they were serving. The boxes are a great way for the Oxford community to help these people.

Pastor Williams stated that donations can be made out to Mt. Zion First Baptist Church. He is working on setting up an account specifically for the Oxford COVID-19 Relief Center.

James Windham stated he was not aware these activities were going on. He does recall some plans being discussed but was not aware of the planned activities. He asked that Councilmembers be kept apprised of such developments. He also expressed concern that some people do not have computers and may not hear about the activities through social media.

Mayor Eady stated that Rust Chapel UMC, Allen Memorial UMC, and Mt. Zion First Baptist did focus on getting the word out through their congregations. The City of Oxford is serving as an information source.

Mr. Windham also asked that Pastor Williams let the City know as soon as the account is set up, since people have different beliefs and are in different denominations, and some may have reservations donating to Mt. Zion First Baptist Church.

Mayor Eady asked if anyone becomes aware of other things going on in the community to please let City Hall know.

7. **Planning Commission Recommendations/Petitions**

None.

8. **Citizen Concerns**

Pastor Williams wanted to express to Mr. Windham that everything is being done by his congregation decent and in order regarding the collection of funds for the COVID-19 Relief Center. He plans to have the separate account established by the following week and will inform City Hall when it is available. Mr. Windham indicated he did not intend to question the motives of Pastor Williams or the church and apologized if his statement was received that way.

9. **Solar Power Purchase Contract with MEAG** (Attachment C)

The City of Oxford has an opportunity to diversify its power resources to include solar energy. Steve Jackson from MEAG presented information about this opportunity at a previous City Council meeting. City Attorney David Strickland reviewed the proposed contract with MEAG and had no concerns. The contract is being finalized by MEAG. At this time MEAG would like a commitment from the City of Oxford to purchase 4 MW of power under the new contract so they can include that amount in the negotiations they are finalizing. Mayor Eady would like to have a vote affirming this commitment. The proposal would result in significant savings to the City during the next ten years. Mayor Eady asked if anyone would like to make a motion or if there are additional questions.

**Laura McCanless made a motion to affirm the City of Oxford's commitment to purchase 4 MW from MEAG under the proposed contract arrangement. Jeff Wearing seconded the motion.**

George Holt asked if the City knows exactly what the total possible obligation would be under the contract. Mayor Eady clarified that Mr. Holt is referring to the step-up charge in the contract which stipulates that if a city fails to pay their share, the other participating cities will be responsible for their cost. Mayor Eady stated that each city's potential step-up obligation per defaulting city is capped at the percent their share is of the entire deal. The total possible obligation cannot be calculated until MEAG can finalize the number of participants and their MW commitments.

Mr. Holt stated that although he is uncomfortable with this, he will probably vote to approve it. Mayor Eady stated that the vote on the table currently is contingent on finalization of the contract. If the contract terms are not acceptable, the City does not have to execute the contract. Ms. McCanless pointed out that this vote is nonbinding.

James Windham requested a booklet with terms to help City Council members understand issues related to power purchases. He also expressed concerns about entering into an agreement that would benefit Georgia Power and allow them to continue polluting the environment.

Mayor Eady stated the City could work with MEAG to come up with a guide for terms, particularly since there are three new City Councilmembers. He asked Matt Pepper to take note of this and he and Mr. Pepper will follow up with MEAG to try to come up with something.

Regarding the Georgia Power concern, MEAG purchases power from many different sources, one of which is Georgia Power. They also own a share of some plants through capital investments, such as Plant Scherer, which has been upgraded in recent years and is much more efficient. One of the most polluting plants, Wansley, is scheduled for shutdown in the near future. This plan is a solar power portion of MEAG's integrated resource plan which will allow getting out from under Wansley. The solar power developer will not be Georgia Power.

The proposed plan will reduce the City's reliance on Georgia Power. Currently when the City needs more power than it has, it must purchase power on the market, which consists mainly of gas- and coal-fired power. This plan eliminates that need, and also makes the City of Oxford non-emitting and not a contributor of carbon emissions associated with Oxford's power consumption.

Mr. Windham stated a list of the pros and cons is helpful. Mayor Eady also clarified that under the proposed plan the City is not making a capital investment. The commitment is only to purchase power.

Mr. Windham asked what city is making the largest commitment. Mayor Eady advised we do not know that yet, but he suspects most cities are committing in the <10 MW range. Mr. Windham asked Mayor Eady to pull some information together on what the potential ceiling is. Mr. Holt added that he has reviewed all the documentation and cannot make such a determination.

Mayor Eady stated Mr. Jackson can come back to address further questions. He also pointed out that Mr. Jackson previously advised the City Council that they would try to sell the power on the market before passing a member's obligation on to other members in the event of a default.

Mayor Eady restated the motion on the table, which is to commit to support the City's share of 4 MW of the deal, nonbinding contractually. This is under the assumption that the numbers provided previously reflect the final estimates and that the risk associated with the step-up clause is deemed to be a reasonable risk to the City Council. The City Council will still vote on the actual contract.

**Laura McCanless amended her motion to make it a nonbinding commitment to commit to 4 MW of power under the proposed agreement with MEAG. George Holt seconded the amended motion. The motion was passed unanimously (7/0).**

#### 10. **Dried Indian Creek Corridor Project** (Attachment D)

Mayor Eady provided a recap of the previous discussion on October 19, 2020 for the University of Georgia (UGA) proposal for the Dried Indian Creek watershed assessment. The watershed assessment is a prerequisite for applying for a grant from the Georgia Department of Natural Resources (DNR) to restore the creek to a healthy state. Much of the land along the creek corridor is privately owned. Grant funds will help to defer the cost of paying for conservation easements and property acquisitions to protect the land.

Since the October presentation, the City has talked with the City of Covington and Newton County about possible collaboration on the project. The City of Covington is excited about the prospect of collaborating. They have several projects in the works along their portion of the creek corridor. Newton County also supports protecting the creek corridor but does not have any specific plans for the area. Mayor Eady plans to meet with Mayor Steve Horton and Chairman Banes to discuss particulars. At a minimum he would like to get them to sign a letter of commitment and support to accompany the City's grant application. The grant application is due around August/September of 2021.

There are a number of things that need to be done in advance of submitting the application that will support a robust grant proposal. The City is working with the Northeast Georgia Regional Commission (NEGRC) to prepare the grant application. NEGRC has advised the City that the watershed assessment is needed as a baseline component to successfully compete for the grant.

Mayor Eady reached out to UGA because of the success in the past working on projects with them. He contacted Donnie Longnecker who put him in touch with Don Calabria, who is an expert in doing watershed assessments and also has access to students who can be utilized to reduce the labor cost of the assessment. Dr. Calabria also has access to engineering resources on campus who can assist with modeling to determine the cost of intervention(s) needed to restore the creek corridor.

UGA has submitted a proposal to conduct the assessment for \$36,631.00. Dr. Calabria will have access to student resources during Spring semester, so a decision on the proposal is needed soon. However, a vote can be tabled if the City Council would like more information or has additional questions.

Laura McCanless stated she liked the proposal's clarity and its description of the deliverables.

James Windham expressed concern that the County has no plans to protect the portion of the creek corridor north of the Oxford city limits. He is afraid dumping could occur in that area and impact the portion of the creek that flows through the City. He also wants to ensure that once the assessment is complete, no additional funds will be necessary to apply for the grant.

Mayor Eady acknowledged that the land Mr. Windham is referring to is privately owned, and the grant is intended to help pay for conservation easements or land acquisitions on these types of properties.

Mr. Windham identified some property East of Soule Street in the Covington city limits that is privately owned. He would like to know what the City of Covington's long-range plans are for this area.

George Holt advised he shares Mr. Windham's concerns. He does not understand why there is a proposal for money to be spent to obtain a grant, yet it is not known how much will be needed for the grant. He wants to make sure that the assessment will cover the requirements for the grant.

Mayor Eady advised the grant program is the Georgia Outdoor Stewardship Program. Grant amounts range from \$.5 million to \$3 million. The requirements are available on the DNR website.

Mr. Holt stated that the requirements should have been presented to the City Council initially, and Mayor Eady has all of that information, but Mr. Holt does not.

Mayor Eady acknowledged that many of the details for the grant application are unknown at this time. The deadline is in August or September of 2021, but the watershed assessment takes some time, and this work product must be included with the application in order to know what type of intervention is needed to restore the creek corridor to a healthy state. This information is needed in order to have the conversations with the landowners. The assessment will cover the entire length of the creek starting at the headwaters.

Avis Williams stated she had some of the same concerns as Mr. Windham and Mr. Holt, but the more it is discussed, the more she understands the proposal.

Lynn Bohanan stated she had similar concerns and questioned what would happen if the City of Oxford invests the money and the other jurisdictions do not contribute or support the City's efforts in any way. She also wanted to make clear that she believes it is a worthwhile project but is a bit scared of taking on the project without any support. Mayor Eady stated that the City of Oxford has set aside \$50,000 each year for the next five years in the Capital Budget. At the worst, the City of Oxford will be spending \$36,000 on the assessment and know what needs to be done. The City could then talk to the property owners, many of which are interested in protecting the property.

Mr. Windham stated the City needs to know which type of easement can be offered to property owners, a county easement or federal easement. The type of easement that can be offered may have tax implications for the property owners. The City also needs to know what width of easement is needed.

Mayor Eady stated the width of the easement needed will not be known until the watershed assessment is completed.

Mr. Windham strongly recommended putting pressure on the City of Covington and Newton County to join the City of Oxford on the grant application, as doing so will bolster the odds of getting a grant. He also recommended taking some positive steps now starting on the West side of the creek to put in a trail or do something to demonstrate a front-end commitment. An appraiser will also likely be needed, which will cost additional money.

Ms. McCanless expressed her understanding that \$36,000 is a lot of money to spend but felt it would help get the much bigger grant which would benefit the City greatly. Since the City does have \$50,000 budgeted for the project, this expenditure would fit nicely. The Sustainability Committee is working very hard to try to make this project come together. They are working with community partners and state agencies in addition to the City of Covington and Newton County.

Jeff Wearing felt that having the assessment done is a step toward protecting the creek corridor on the East side of the City. He would be in favor of proceeding.

Mayor Eady's concern is timing. While he does not disagree with anyone's recommendations, he feels the City does not have any good basis for prioritizing what is done to the creek corridor without the science and engineering the assessment would provide. The money was budgeted for this purpose in the Capital Budget.

Mr. Holt stated he thought the money in the Capital Budget was intended for land acquisitions to protect the City on the East side. He feels more conversations are needed with the landowners before money is spent on the assessment. Mayor Eady stated the discussions with the landowners will occur concurrently with the assessment, and some have already taken place. But the specifics, such as the width of easement needed for each piece of property, can only be obtained logically from the assessment. If the City waits until after it has communicated with all landowners, it will be too late to apply in the current grant cycle.

Mr. Windham stated he will vote to approve the proposal for the watershed assessment, but he would like to hear more from the Sustainability Committee concerning their overall goal with this project, since they are pushing this project.

Mayor Eady stated that he is actually the main one pushing this project. The Sustainability Committee has been doing a lot of work to move the project along from a conceptual idea to an actionable plan via the grant application through DNR.

Ms. McCanless thanked Mayor Eady for collecting information and speaking to officials and landowners. The grant changed the game for the committee. Initially they were thinking about piecemeal purchases of land on the East side to create a buffer zone. When they found out about the grant's range of award, their goals shifted. They began to consider what they could do with that kind of money. The ultimate proposal would include connectivity from the headwaters to the Yellow River and linkage of trails. This proposal creates zero-carbon transportation and access to outdoor recreational and natural opportunities for people that do not have access to such opportunities currently. The



proposal not only would restore the creek to a healthy state but would also provide social and community benefits that are tangible and intangible.

Mr. Holt thanked Ms. McCanless for her comments that tied everything together. He felt that he understood the project much better as a result of her comments.

Mr. Windham asked for a commitment from the City Council that if the City does not get the grant, it will still use the assessment to make some improvements to the creek corridor. He also would like for the Sustainability Committee to start looking at strategies for the West side of the City.

**Jeff Wearing made a motion to accept the proposal from John Calabria. Laura McCanless seconded the motion. The motion was approved unanimously (7/0).**

11. **Voting Delegates for the Electric Cities of Georgia Board** (Attachment E)

Staff proposes updating the voting delegates for the Electric Cities of Georgia (ECG) Board to appoint the Mayor as the delegate and the Mayor Pro Tem as the alternate so that the appointment will not need to be updated each time the persons in these positions change.

**James Windham made a motion to approve the resolution appointing the Mayor and Mayor Pro Tem as the voting delegate and alternate for the ECG Board. Laura McCanless seconded the motion. The motion was approved unanimously (7/0).**

12. **Invoices** (Attachment F)

The Council reviewed the invoices paid by the City of Oxford for \$1,000 or more in November 2020. Marcia Brooks provided one correction to the documented distributed: City of Oxford utility charges for 10/14/20 – 11/16/20 should have been listed as \$1,771.96 instead of \$1,236.97.

George Holt asked if the invoice from Great Estates Landscaping was only for spreading mulch. Mayor Eady stated it sounds like it is for all their monthly services, since it mentions a discount for July.

Mr. Holt asked what the City plans to do with 100 copies of *Images of America – Oxford*. Mayor Eady stated the City will make them available for sale. There has been interest from the public on where they can get copies of the book. The City of Oxford obtained the books at author (Erik Oliver) cost. The book retails for \$22.00. We can sell them at retail cost if desired.

13. **Executive Session**

**James Windham made a motion to go to Executive Session at 8:57 p.m. Lynn Bohanan seconded the motion. The motion was approved unanimously (7/0).**

The Council entered executive session to discuss personnel matters.

**James Windham made a motion to exit Executive Session at 9:08 p.m. Jeff Wearing seconded the motion. The motion was approved unanimously.**

14. **Adjourn**

**A motion was made by James Windham to adjourn at 9:08 p.m. Lynn Bohanan seconded the motion. The motion was approved unanimously (7/0).**

Respectfully Submitted,

Marcia Brooks  
City Clerk/Treasurer



**DRAFT MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
WORK SESSION  
MONDAY, December 14, 2020 – 6:30 PM  
VIA TELECONFERENCE  
DRAFT**

**ELECTED OFFICIALS PRESENT:**

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

**APPOINTED/STAFF PRESENT:**

Matt Pepper – City Manager  
Marcia Brooks – City Clerk/Treasurer  
Jody Reid – Utility Superintendent  
Dave Harvey – Police Chief

**ELECTED OFFICIALS NOT PRESENT:**

Jeff Wearing – Councilmember  
Lynn Bohanan – Councilmember

**OTHERS PRESENT:** Melissa Hage, Jonathan Eady, Zach May, Mike McQuaide

**Agenda (Attachment A)**

**1. Mayor's Announcements**

Mayor Eady stated that beginning with this meeting, he will be asking each of the committees of Oxford City Council to give a report on what they are working on in the work sessions. The purpose of the reports will be to keep the City Council aware of the activities in which the extensions of the City Council are involved.

**2. Committee Reports**

**a. Sustainability Committee – Melissa Hage**

The main focus of the Sustainability Committee has been and will continue to be the Georgia Outdoor Stewardship Program (GOSP) grant. John Divine with the Northeast Georgia Regional Commission (NEGRC) will be assisting with the application for this grant. The application is due in October 2021 but there is much to be done to prepare the application. The goal of the grant is to restore the part of Dried Indian Creek that runs through the City of Oxford. Depending on the cost to meet this goal, part of the initial grant, if approved, can also be used to put in a trail system. Their hope for the long term is that this will be the first of many grants related to this goal. There have been some great conversations with the City of Covington and other potential

stakeholders, and the committee hopes to partner with others to make the grant application as robust as possible by showing they have buy-in and community support for the restoration of the entire creek corridor.

Mayor Eady discussed his desire to have a Sustainability strategy for the City. Ms. Hage agreed and mentioned the ad-hoc committee that had worked on some strategies in the past, and this committee will be building on the work already completed. Mayor Eady stated that the committee is interested in diversifying the membership of the committee and would appreciate recommendations or expressions of interest.

**b. Planning Commission – Jonathan Eady**

The Planning Commission's primary function is to react to the various applications brought before them each month. The volume of applications has been surprisingly large this year given the public health issues being dealt with. The committee has kept a running list for several years of issues where either the language in the zoning ordinances is not clear to the committee or to other constituents in Oxford, or the results the ordinances drive them to are not necessarily the ones they feel comfortable with.

The committee has held a couple of called meetings and have recommendations for some tweaks they hope to bring to the City Council in the next couple of months. Some assistance will be needed to put them into the resolution/ordinance format for the City Council to act on.

One of the committee's tertiary responsibilities is to engage in conversations about land use planning. They hope to share more thoughts on this issue in the near future.

**c. Trees, Parks, and Recreation Board – Mike McQuaide**

The board has been maintaining their mandated activities. They have been in contact with the City's arborist, Beryl Budd, about prioritizing the trees that need maintenance or need to be replaced. The board has been working on a mission and purpose statement. They are interested in maintaining and enhancing the tree cover of the City and providing space for people to engage in activities that are consistent with their psychological, physical, and social well-being.

The board is thinking about ways to enhance its budget. One idea they have considered is asking the City to pay for replacement of dead trees on private property with native trees at a maximum cost of about \$750 per tree.

James Windham asked Mr. McQuaide if there are any plans to present a recommendation to the City Council regarding tree replacement. Mr. Windham believes there are some legal ramifications related to this plan.

Mr. McQuaide stated that to his knowledge there is no precedent for a City placing trees on private property. They are just beginning to talk through this idea and will need some dialogue on the proposal before a formal recommendation is made.

Mr. Windham stated the same issue came up about eight to ten years ago, and Cheryl Ready and Mike Ready were directed to Beryl Budd, who was with the Georgia Forestry Commission (GFC) then. Mr. Windham thinks trees may have been coming from the GFC with no cost to the City.

Laura McCanless commented that the trees donated by the GFC for Arbor Day are very small. She believes the trees the board would like to plant as replacements are more substantial, but this is a good question for GFC.

**d. African American History Committee – Avis Williams**

Mayor Eady stated that this committee was formed to memorialize contributions of African Americans to the Oxford community, but the committee's scope is actually a broader committee on race and there are other conversations for the committee to have after their initial activities of recognition.

Avis Williams advised the committee has discussed that its purpose is to acknowledge, celebrate and re-member the contributions of African Americans in the Oxford community. Members of the community who have joined the committee include Annie Lou Gaither, Anderson Wright, Gwen Green, Hurenza Lewis, and Pastors Charlie Williams and Johnetta Johnson. Lynn Bohanan has joined as the City Council representative. They are still waiting for confirmation from a couple of potential members.

Ms. Williams has discussed activities with the members individually or in pairs. The committee's first official meeting will be held by conference call in about three weeks. The committee is planning three major events for 2021: 1) end of February – naming ceremony in conjunction with Black History Month; 2) June 19 – event in conjunction with the Juneteenth freedom celebration; and 3) December 31 – event in conjunction with Watch Night. More details will be forthcoming probably at the January work session. The events will have to be planned keeping the COVID-19 restrictions in mind.

During the year the committee plans to look at interviews already conducted with members of the community, conduct additional interviews, and compose some writings. In conjunction with the Watch Night event, they hope to unveil a 2022 calendar that will have events that are significant in the lives of African Americans in the Oxford community.

At Emory University, President Fennes and Provost Love have called together a task force on untold stories and disenfranchised populations. Ms. Williams is a member of this task force. Two meetings have been held and the members have been split into committees. Ms. Williams is on a committee tasked with discussing the process and criteria for awarding scholarships. Other committees will honor the labor of enslaved persons, acknowledge the accomplishments of indigenous peoples, and identifying educational and experiential opportunities. She is the only member on the task force not directly connected to Emory. As a member of this task force, she will be able to use

some of the resources going back to the beginning of Oxford for the City of Oxford committee.

James Windham asked if the committee plans to address things that have been considered controversial in the past that the City of Oxford has or has not done. Ms. Williams stated it does. Mr. Windham also asked if the committee plans to acknowledge other events in civil rights history such as the Tulsa race massacre. Ms. Williams stated they do, and they will be sharing more information about educational opportunities for such things and ways for the City to commemorate such events as they continue working on their committee.

Mayor Eady stated that the committee is a chance for the members to have courageous conversations about the diversity of their experiences growing up or living in Oxford and acknowledging that we do still have struggles with racism in the community of Oxford. The committee will proactively address injustices and inequities that have occurred and work to prevent them in the future.

### 3. **Land Use Planning Discussion** (Attachment B)

Mayor Eady presented a map showing the current zoning areas of the City of Oxford to provide some context for an upcoming discussion and for recommendations for ordinance changes which are forthcoming from the Planning Commission. He mentioned some milestones to inform and guide these discussions.

- In 1996 the zoning ordinance was rewritten, and the zoning map was adjusted to elevate the standards to modern times.
- In 2006 the City of Oxford engaged with the Metropolitan Design Studio of the University of Georgia (UGA). Randy Vinson and Pratt Cassidy led a group of landscape architecture students in a workshop that developed a report with recommendations for applying Smart Code to the zoning areas based on density and use.
- In 2008-2011, the City of Oxford rewrote its zoning ordinances again in consultation with Jerry Whites, a land use expert, with the goal of adopting the philosophy of the Smart Code method. The Town Center Zoning District was created as one of the zoning areas. The denser part of this area was classified as R-7.5, or a 100 ft. x 75 ft. lot. An infill overlay was also applied to most areas of the City to ensure that any new development in the overlay areas would be compatible in scale with other existing homes. Some of this coding was changed when it was codified by Municode.

Laura McCanless stated that some residents have expressed anxiety or anger over the overlay infill being placed on their property with plans for future development. She has advised them that she does not think it means their property is slated to be "filled in." She advised the City Council needs to be crystal clear about the meaning of the overlay infill or possibly use a different term.

Mayor Eady agreed with Ms. McCanless that it does not mean the property will be "filled in." It is intended to provide standards for when a development request is submitted.

James Windham stated that the term “infill” is generally accepted as meaning what Mayor Eady stated.

Jonathan Eady agreed that the term is regularly used in zoning codes. To the extent the City of Oxford retains this concept, he does not recommend relabeling it. However, they may be able to recommend some tweaks when they present their recommendations to the City Council.

Mike McQuaide stated that the opposition to an infill overlay is based on misunderstandings, but the City Council and the Downtown Development Authority (DDA) do have a responsibility to show residents how development benefits them.

Jonathan Eady commented that density tools are particularly useful where a city is trying to concentrate development on a particular piece of property to the least number of distributed acres and retain lots of green space. In the context of the Dried Indian Creek corridor, he is concerned about having too much property zoned with a higher density use.

Mr. Windham recommended framing this issue in terms of sustainability. Zoning is a tool for separation. Areas such as Virginia Highlands grew up organically, not through zoning. He also questioned why building codes are not tied to zoning ordinances.

Laura McCanless agreed that tying development to sustainability is the way the City should go. Mayor Eady stated the City did not go far enough in its last zoning revisions to ensure dimensions do not substitute for quality.

George Holt stated that when the City Council previously discussed the ordinance, they talked about writing it to link building codes to development. Mayor Eady stated that what currently is codified is a hybrid, and some work on the zoning ordinance is needed.

#### 4. **Minor Subdivision Request** (Attachment C)

Tony Ellis has submitted a request for approval of a minor subdivision for his properties located along E. George Street. The Planning Commission recommends approval of the request. No vote will be taken tonight. The request is being presented for discussion.

The street only has a 15-foot right-of-way. Houses have been built on the properties over the years. The property owners are preparing to sell the properties and wanted to clean up any issues with the property lines prior to putting the properties up for sale.

Jonathan Eady explained that some of the houses were built during a time that there were zoning ordinances in place but there was less engagement in the process than there is now. The houses were placed logically to one another without regard to any existing property lines. The current Newton County tax map bares no relation to the placement of the houses. The Ellis family engaged a surveyor to lay out property lines in conjunction with the placement of the homes that would be almost completely in compliance with current zoning ordinances.

There is no contemplated development to the properties or change to the existing street. The change is merely moving the boundaries of the lots so that each house and associated improvements sits on its own lot with more or less rational setbacks. No new lots are being created. This request is essentially a resubdivision/recombination.

One of the existing houses is currently served by sewer. The other houses are served by septic tanks. The ordinance contemplates that when a subdivision is created, each lot should be accessible to sanitary sewer. The request includes new sewer easements that would allow the lots to tie into the sewer lines along Dried Indian Creek and along Emory Street.

James Windham asked how the lots are currently zoned. Mayor Eady advised they are R-7.5. Jonathan Eady stated that they are not currently occupied at the density level for R-7.5.

Mr. Windham stated that the street needs to be widened to allow City vehicles to continue to provide services to the residents along it. He is also not sure the street meets fire codes. He proposed that now is the time to create an ordinance to ban any construction within a certain distance of Dried Indian Creek.

George Holt asked if the land should conform to all requirements of a subdivision, including standard rights-of-way, sewer service, and stormwater management. Laura McCanless stated that there are no plans for any new development on the land – the property owners are simply establishing property lines that will help facilitate the sale of the property. One serious concern she has is the inadequate right-of-way with no setbacks that will not accommodate emergency fire vehicles.

Mr. Holt stated he does not see how the City Council can sanction approving a subdivision under these conditions.

Mayor Eady reiterated that the conditions on the ground already exist. The only changes are the property lines to make the properties more marketable.

Mr. Holt stated that the properties could be sold to a buyer interested in developing the property. Mayor Eady agreed but stated that the existing houses are not insignificant, which makes that possibility less likely.

Ms. McCanless asked if the City needs to request additional right-of-way on both sides of the street for future repaving. Mayor Eady stated that the garbage trucks currently go down the street.

Jonathan Eady stated that all the issues raised are valid issues. However, he asserted that they are separate issues that should be addressed as such. The street is already a public road and the houses are already there. The lots do not align in a logical fashion and the property owners are trying to correct that condition. Taking of property for rights-of-way and discussion of whether the property is zoned correctly are very different processes and



require different proposals that the Planning and Zoning Commission plans to bring to the City Council. Some of the concerns being raised may be addressed with a property rezoning proposal.

Mr. Holt stated he cannot see a rezoning request being appropriate with the street in its current condition. Mayor Eady stated that the condition of the street would certainly not allow for further subdividing of the property as would otherwise be allowed in R-7.5 zoning.

Mr. Windham recommended discussing the procedures necessary to bring the street up to the minimum requirements in the zoning ordinances with the City Attorney. He agrees that it is a separate issue from the subdivision proposal.

Jonathan Eady added that discussions about the street also implicate other property owners, reinforcing the assessment that it is a separate issue.

#### 5. **Credit Card Convenience Fees** (Attachment D)

Mayor Eady has mentioned previously that staff are researching how to make it easier for customers to pay their utility bills with credit cards online and in person. Marcia Brooks presented information concerning the implications of reducing or eliminating such fees charged to customers.

The online and in person methods are administered by two different merchant services providers, so the fee structure differs for the two. For in-person credit cards, the convenience fee (2.75%) is charged directly to the customer when the card is processed. The convenience fee is not passed to the City of Oxford, and no merchant fees are charged to the City of Oxford for providing the service.

For the online service, the convenience fee (3%) is passed to the City of Oxford. The City then adds the convenience fee amount onto the customer's bill when they pay by credit card. The city also pays merchant fees to the merchant services provider.

The in-person method is an administrative burden for the staff at City Hall. The merchant services provider for in-person transactions will not allow a convenience fee to be charged for Visa transactions based on Visa policies prohibiting such a charge for utility payments. The provider cannot have a different process for Visa than for the other types of cards. The City of Oxford decided not to accept Visa for in-person transactions based on these requirements.

However, the vast majority of customers who want to pay with a credit card only have one with a Visa logo. Staff must advise around ten customers each week to go get a money order or go to an ATM to get cash and come back. When customers do have an appropriate card, they often want to know what the fee will be before using it.

These factors increase the time required to serve customers at City Hall because of repeat visits and increase manual labor. The burden becomes excessive on court days when there is a line of people waiting to pay fines for traffic citations.

Staff is asking the City Council to consider at least absorbing the fees for in-person credit card transactions so that Visa can be accepted in the office. The merchant services provider has given an average cost per transaction estimate of \$1.77. Based on ten transactions per week the annual estimated cost would be \$920.40 for the City of Oxford. If the number of transactions increases by 25%, the annual cost would be \$1,150.50.

George Holt stated that to conduct any kind of transaction with Newton County government requires the customer to pay a fee to use a credit card. He also stated that something must have changed because merchants in the past could not charge a convenience fee at all.

James Windham objected to absorbing convenience fees because the customers who do not use credit cards would be paying a portion of the fees. He asked if the City's software would allow the City to add a set fee to a customer's utility bill if they are paying by credit card instead of charging the convenience fee. The charge would be on everyone's bill and would be taken off if the customer does not pay by credit card. The billing would advise the customer to deduct the fee amount if they are not paying by credit card.

Mr. Holt asked about the total cost for absorbing online and in-person fees. The total projected annual cost is \$27,575.94. This cost could increase if participation increases. Mr. Windham and Mr. Holt were not in favor of absorbing this cost. Ms. Brooks stated she would check with our software vendor to find out if they can implement the idea Mr. Windham brought up. Laura McCanless agreed and believes that a service charge of a couple of dollars is reasonable.

Ms. Brooks will follow up with the software vendor and report back to the City Council at a later date on her findings.

6. **Emory Street Sidewalk Project Intergovernmental Agreement (IGA) (Attachment E)**  
The existing IGA between the City of Covington and the City of Oxford for the Emory Street Sidewalk Project has expired due to delays in the project. It outlines the details regarding contracting requirements and the payment process. The City of Covington will approve the IGA at their meeting on January 4, 2021. Staff recommends that the City of Oxford approve the revised IGA at its January 4, 2021 meeting.
7. **Emory Street Sidewalk Replacement Project**  
Mayor Eady provided an update on the sidewalk replacement project included in the FY 2021 Capital Budget for repairs to the sidewalk that runs along with westside of Emory Street/SR 81 from the city-owned greenspace to Soule Street. The alternate material that was discussed by the City Council is not on the Georgia Department of Transportation (GDOT) approved materials list. Unless the vendor can go through the process of getting on the GDOT approved materials list or unless GDOT will issue a waiver for the project as a pilot demonstration project, the project will have to be completed with Portland cement. The City will be contacting GDOT to find out if a waiver is possible in this situation.

George Holt asked if information is available yet on the cost difference between the materials. Mayor Eady advised we have a preliminary estimate but have not bid out the job

yet, so we do not have accurate amounts. Mr. Holt asked if it is worthwhile to ask for a bid for the alternate material if it is going to cost much more and the City Council is not willing to spend the higher amount.

Laura McCanless stated the company advised her the cost is about the same to lay the material as the cost to lay conventional concrete. There is one contractor in Georgia who is authorized to lay the material, and his rough estimate of the cost to lay new material was \$100,000, which she thought was very low. The City really does not have a way to estimate the true cost. The vendor is aware of the requirements for getting the material authorized by GDOT, which has invited them to send it in. The material is already federally authorized and is authorized by the states in which they currently lay it.

Mr. Holt clarified that he is not against using the material, but just wants to ensure that the City knows the cost before entering into a contract to use citizens' money. Mayor Eady stated that the plan is to request bids for the alternate material as well as traditional Portland cement.

Mr. Windham asked if there are any other alternate materials that are on the GDOT approve materials list. Mayor Eady stated only the specific material was checked on but staff can inquire about that issue.

**8. Executive Session**

The Council entered Executive Session to discuss real estate matters at 8:23 p.m. The Council exited Executive Session at 8:54 p.m.

**9. Adjourn**

**James Windham made a motion to adjourn at 8:54 p.m. Avis Williams seconded the motion. The motion was approved unanimously (5/0).**

Respectfully Submitted,

Marcia Brooks  
City Clerk/Treasurer

# OXFORD PLANNING COMMISSION

Minutes – November 10, 2020

**MEMBERS:** Jonathan Eady, Chair; Juanita Carson, Secretary; Mike Ready, Kibbie Hatfield, and Mike McQuaide. Zach May was absent.

**STAFF:** Matthew Pepper, City Manager and Zoning Administrator.

**GUESTS:** Ernie Feliciano; Laura Todd, Permit Specialist with Tuff Shed; Tyler Bailey; Colleen Christian; Sheri Joyner; Brian Barnard; Darryl and Teresa Welch.

**OPENING:** At 7:03 PM, Mr. Eady called the meeting to order and welcomed the guests.

**MINUTES:** Upon motion of Mr. Ready, seconded by Mr. McQuaide, the minutes for the meeting of October 13, 2020 were adopted. The vote was 5-0.

**ERNIE FELICIANO DEVELOPMENT PERMIT APPLICATION (152 Longstreet Circle):** The Commission reviewed the development permit application to construct a 12' x 24' storage shed in the rear yard of the lot located at 152 Longstreet Circle. Ms. Todd explained that the shed will be a prefabricated assembly and laid directly on the ground. The Commission confirmed that the proposed shed met the side and rear setbacks.

*Upon motion of Ms. Carson, seconded by Ms. Hatfield, the Planning Commission approved the development permit application to construct a 12' x 24' storage shed in the rear yard of the lot located at 152 Longstreet Circle. The vote was 5-0.*

**KEN KNIGHT DEVELOPMENT PERMIT APPLICATION (202 E. Richardson Street):** The Commission reviewed the development permit application to complete interior and exterior renovations on the existing home located at 202 E. Richardson Street. During the discussion, Mr. Bailey explained that the scope of work also included the addition of a bathroom and laundry room. In addition, it included adding a new gutter, repairing of the fascia and soffit, and replacing the back door. The Commission confirmed the setbacks. In addition, they informed Mr. Bailey that he will need to provide scaled construction drawings to the building inspector prior to obtaining a building permit.

*Upon motion of Mr. Ready, seconded by Ms. Hatfield, the Planning Commission approved the development permit application to complete interior and exterior renovations on the existing home located at 202 E. Richardson Street. The vote was 5-0.*

**COLLEEN CHRISTIAN DEVELOPMENT PERMIT APPLICATION (322 Emory Street):** The Commission reviewed the development permit application to install a carport on the property located at 322 Emory Street. Ms. Christian had previously installed the carport without receiving a development permit. The Commission confirmed that the existing carport did not meet either the location or the side setback requirement. Consequently, they informed Ms. Christian that she would need to move the carport to another location on the property (where setbacks could be met) or remove it entirely off the property. Ms. Christian stated that she will remove the carport from the property. The Commission took no action on the development permit application.

**SHERI JOYNER DEVELOPMENT PERMIT APPLICATION (808 Emory Street):** The Commission reviewed the development permit application to install a fence beginning in the front yard and covering the rear of the property located at 808 Emory Street. During the review, the Commission confirmed that E. George Street is a public street and therefore the property would be considered a corner lot. Per the city's zoning code, a fence constructed on a corner lot is subject to the front yard requirements for fence appearance. Consequently, the entire fence would need to be decorative in appearance. In addition, the

Commission stated the proposed attached metal wiring (as depicted in the photograph) has not typically met the standard for a decorative fence. Ms. Joyner stated that the wiring for the fence is intended to keep out smaller dogs and other animals. The Commission stated that the wiring would be acceptable if the fence posts had decorative tops. The Commission concluded that the development permit application will be approved subject to the following modifications:

- The fence will have decorative tops on each of the fence posts.
- Mr. Pepper will confirm that the portion of the fence closest to Emory Street/SR 81 will be offset from the front edge of the house.
- Mr. Pepper will confirm the location of the stakes for the fence.

*Upon motion of Ms. Carson, seconded by Mr. Ready, the Planning Commission approved the development permit application to install a fence at 808 Emory Street with the modifications (discussed in permit application description). The vote was 5-0.*

**BRIAN BARNARD DEVELOPMENT PERMIT APPLICATION (1112 Asbury Street):** The Commission reviewed the development permit application to complete some interior and exterior renovations and adding a screened porch to the existing house located at 1112 Asbury Street. During the review, Mr. Barnard explained in detail the proposed interior renovations and additions including a bonus room in the rear of the house and a screened porch. As for the exterior renovations, Mr. Barnard explained that he plans to install Hardie Board siding on the house. In addition, Mr. Barnard explained that the roof (architectural shingles), soffit, and fascia will be replaced as part of the exterior renovations. The Commission confirmed the front setback from the proposed front porch.

The Commission informed Mr. Barnard that the Building Inspector may ask for details regarding the trade permits (electrical, plumbing, HVAC). The Commission amended the development permit application to remove the reference to the covered parking area and the front setback from 5' to 10'.

*Upon motion of Mr. Ready, seconded by Mr. McQuaide, the Planning Commission approved the development permit application to complete some interior and exterior renovations and adding a screened porch to the existing house located at 1112 Asbury Street. The vote was 5-0.*

**RECOMMENDATION ON REZONING PARCELS:** The Commission began the discussion by explaining that they are considering developing a recommendation for rezoning seven parcels located along the eastside of Emory Street/SR 81 and E. Clark Street so that they are consistent with their current use (residential) and compatible with surrounding properties. In addition, they explained that they invited the affected homeowners to the meeting so that they (the homeowners) can offer their input on the recommendation.

Mr. Welch expressed the concern that the homeowners of the affected properties had not been properly notified when the city zoned the properties to Town Center several years ago. He asked why the Commission was prompted now to consider a recommendation for rezoning. In addition, Mr. Welch stated that the city should not rezone the properties to a residential zoning designation. Rather, the city should leave the properties as zoned Town Center thereby allowing property owners the flexibility to pursue opportunities for their properties as they see fit. He further stated that he will express his views to the Mayor and City Council when the time comes for them to discuss it at a Council meeting.

The Commission reviewed the "criteria for amendments to official zoning maps" (Section 40-638(g)) as they developed the recommendation. During the review, the Commission cited that rezoning the lots to Single Family R-20 would make them compatible with surrounding properties, consistent with their best economic use, and would align with the city's current comprehensive plan which provides for mixed used development exclusively on property located on the west side of Emory Street in the town center area. In addition, the Commission agreed to exclude the lot (X004 002) owned by the Downtown

Development Authority in their recommendation. It will remain zoned as Town Center. Mr. Eady will provide the Commission with the recommendation language. Such recommendation language was formally adopted by the Commission.

*Upon motion of Ms. Hatfield, seconded by Ms. Carson, the Planning Commission makes the recommendation to City Council to approve the rezoning of six privately-owned parcels from "Town Center" to "Single Family (R-20)". The vote was 5-0.*

**OTHER BUSINESS:** The Commission did not discuss items related to other business.

**ADJOURNMENT:** Mr. Eady adjourned the meeting at 8:50 PM.

Submitted by:

Juanita Carson, Secretary

# Trees, Parks and Recreation Board (TPR) – City of Oxford, GA

Minutes of Meeting October 13, 2020

Community Room, Oxford City Hall (Via Video Conference)

At 5:08 PM, Chairman Ready called the meeting to order.

## Attendance

Present – Members: Cheryl Ready, Michael Rogers, Nakeisha Cummings, Anderson Wright, and Theresa Eady.

Laura Gafnea, Director of Community Relations, Oxford College

Laura McCanless, City Councilmember

Matthew Pepper, City Manager

Absent – Members: Mike McQuaide and Linda Allen were absent.

Jody Reid, Utility Superintendent

Seth Hawkins, GFC Community Forester

Beryl Budd, City Arborist

**Agenda for Meeting:** Upon motion of Ms. Eady, seconded by Mr. Rogers, the agenda for the October 13, 2020 meeting was adopted. The vote was 5-0.

**Minutes of Meeting held August 11, 2020:** Upon motion of Mr. Rogers, seconded by Ms. Eady, the minutes for the meeting held on August 11, 2020 were adopted. The vote was 5-0.

**Status of Work Plan, 2020, Beryl Budd:** Mr. Budd was unable to attend the meeting. The Board will continue the discussion on the 2020 Work Plan at the next meeting.

## Reports and Updates:

1. Mitchell Street Park – The Board discussed the installation of a bench in Mitchell Street Park. Mr. Pepper will join Ms. Ready for a site visit to Mitchell Street Park to determine a location for the bench. The Board reached a consensus to purchase a bench like those found in Asbury Street Park.
2. George Street Park (Split Rail Fencing) – The Board discussed the replacement of the existing split rail fence at George Street Park. Mr. Pepper explained that the city has had difficulty finding a contractor that met the city's insurance requirements. He reassured the Board that they will continue contacting other fence contractors. In addition, the Board discussed how trash has been left in and around the gazebo. Mr. Pepper will ask the Public Works team to clean up the trash and notify the Police Department to patrol the area. In addition, he will share the concerns with Ms. Gafnea so she can inform the students.
3. Emory Street Survivors – The Board did not discuss any items related to the existing trees on Emory Street from the city's water main upgrade project in 2014.
4. Asbury Street Park Little Library – Ms. Ready shared that the Little Library has been highly successful. In addition, she asked that the Board help Ms. Barbara Cole manage the volume of books stored at the library.

5. Whatcoat Street (Cherry Trees) – The Board discussed possibly replacing the cherry trees the city recently removed. They expressed concern about replanting along Whatcoat Street without knowing the city’s plans to develop that corridor. The Board will consider other locations for planting as they learn more of the city’s plans for Whatcoat Street. In addition, the Board discussed the importance of working on their master plan for tree planting as well as updating the tree inventory with help from the Forestry Commission.
6. Georgia Tree Council – Ms. Ready reminded the Board that they will renew their membership for \$50 with the Georgia Tree Council.

**Pruning Issues:** Mr. Budd will continue to update the city’s pruning list for the FY2021 Budget. The Board will review the list at their next meeting.

**Moore Street Sidewalk Project:** Mr. Pepper reported to the Board that a fiber company removed a section of the sidewalk to access their line. In the coming weeks, the fiber company will replace the section of sidewalk.

**Budget/Inventory:** Ms. Ready shared with the Board a proposed budget for the goals that they would like to accomplish in FY2021. The proposed budget included funds for tree planting, structural pruning, crown pruning, arborist fees, and other items. The Board will continue the discussion at their next meeting.

**Tree City/Growth Award Report:** Ms. Ready shared with the Board the criteria to earn the Tree City USA Growth Award presented by the Arbor Day Foundation. She asked the Board to consider items that she could include in the application for next year’s award. The Board will share ideas with Ms. Ready before the next meeting.

**Concerns and Announcements:**

- Ms. Ready recommended that the Board have a called meeting at 5 PM on Tuesday, November 10<sup>th</sup> to discuss their mission statement and goals, meeting schedule, tree pruning plans, Arbor Day, and the Tree City Growth Award.
- Ms. Eady recommended that the Board begin meeting every month starting in January 2021. She expressed that the Board has several important goals to accomplish and meeting each month will ensure that they are on track. The Board agreed. Mr. Pepper requested that the meeting be held on a different day of the week than Tuesday. Before the end of the year, the individual Board members will share their availability with Mr. Pepper. They will finalize the new date before the end of the year.
- Ms. McCanless expressed a concern with English ivy growing around one of the large oak trees planted near city hall. The Board discussed how to properly remove invasive species.
- The Board discussed their level of involvement with Asbury Street Park. They decided that the Board would take a hands-on approach to managing the plantings and other items related to the park. They recommended that the Ginkgo trees that were planted in the park be replaced with a native species of tree. The Board expressed the desire that the park contain all native trees and shrubs. The Board will request that Mr. Budd recommend a native variety for a replacement tree. In addition, the Board will request that Mr. Budd write a recommendation that the Board will share with the City Council.

**Adjournment:** Upon motion of Mr. McQuaide, seconded by Ms. Eady, the Board voted to adjourn the meeting at 5:53 PM. The vote was approved 4-0.

Next meeting will be November 10, 2020.



# Trees, Parks and Recreation Board (TPR) – City of Oxford, GA

Minutes of Special Called Meeting **November 10, 2020**

Community Room, Oxford City Hall (Via Video Conference)

**Call to Order:** At 5:03 PM, Chairman Ready called the meeting to order.

## **Attendance**

Present – Members: Cheryl Ready, Mike McQuaide, Nakeisha Cummings, Anderson Wright, Theresa Eady, and Michael Rogers.

Beryl Budd, City Arborist

Laura McCanless, City Councilmember

Matthew Pepper, City Manager

Jody Reid, Utility Superintendent

Absent – Members: Linda Allen was absent.

Seth Hawkins, GFC Community Forester

**Writing our Vision, Values and Mission Statement:** The Board discussed crafting the mission statement using Sec. 38-36. “Duties and responsibilities” of the city’s Code of Ordinances as a basis. In addition, they discussed focusing the mission and values statements on the three separate words that make up the Board’s name: trees, parks, and recreation.

**Trees:** The Board agreed that a major part of its responsibilities are focused on the establishment, maintenance, management, protection, removal, replacement on all street rights-of-way, parks, and other public properties. In addition, the Board discussed its role in public education of proper tree care and establishment.

**Parks:** The Board discussed its role in the management of city’s parks. They discussed gathering input from the city on what it (the city) expects from the Board moving forward with respect to the city’s parks.

**Recreation:** The Board discussed its role in the management and support of the city’s trail system.

Before the next meeting, the Board will complete the following assignments:

- Ms. Eady will prepare a draft copy of the mission statement. Prior to the next meeting, Ms. Eady will share the draft with the Board. The Board will review it at the next meeting.
- Mr. McQuaide will send the Board the mission and vision statements prepared by the city’s new Sustainability Committee. The Sustainability Committee’s mission statement document can serve as a template for the Board’s mission statement document.

**Vacancy on Board – Replacement:** The Board discussed the existing vacancy. The Board members will discuss their nomination at the next meeting. The Board will also discuss its revised meeting schedule on at the December 8<sup>th</sup> meeting.

**Adjournment:** At 5:39 PM, Chairman Ready adjourned the meeting.

Next meeting will be December 8, 2020.

## **MAYOR PRO-TEMS (2005-PRESENT)**

2020	Jim Windham
2019	Jeff Wearing
2018	Jim Windham
2017	Mike Ready
2016	George Holt
2015	Sarah Davis
2014	Lyn Pace
2013	Terry Smith
2012	David Eady
2011	Frank Davis
2010	Sue Dale
2009	Jim Windham
2008	George Holt
2007	Hoyt Oliver
2006	William Murdy
2005	Emma Lou Patterson

## **MAYORS (1943-PRESENT)**

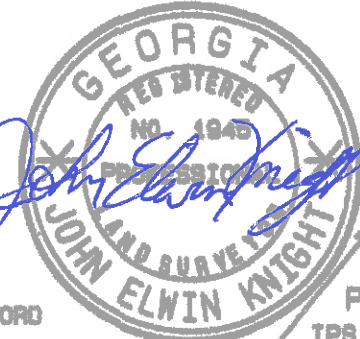
2020-Present	Mr. David S. Eady
2008-2019	Mr. Jerry D. Roseberry
2007	Mr. William H. (Dean) Murdy
2004-2006	Mr. Donald Ballard
1995-2003	Mr. Don Turner
1988-1994	Mr. Jack Porter Atkinson Jr.
1982-1987	Mr. Fred Taylor
1980-1981	Mr. Weldon Carson
1976-1979	Mr. Dial
1972-1975	Mr. Wiley Allgood
1958-1971	Mr. Augustus W. (Jack) Jackson
1953-1957	Mr. Aubra L. Sherwood
1952	Mr. Barnett
1951	Mr. Lancaster
1950	Mr. M.R. Elizer
1948-1949	Mr. Allgood
1947	Mr. Thorne
1943-1946	Mr. E. W. Strozier

CLERK'S STAMP FILING BOX

NOTE:  
The Certification, as shown hereon, is purely a statement of professional opinion based upon knowledge, information and belief, and based on existing field evidence and documentary evidence available. The Certification is not an expression or implied warranty or guarantee.

RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

Surveyed By:  
John Elwin Knight,  
Ga. R.L.S. 1945  
P.O. Box 625  
Social Circle, Ga. 30025  
Ph: 770-464-4549

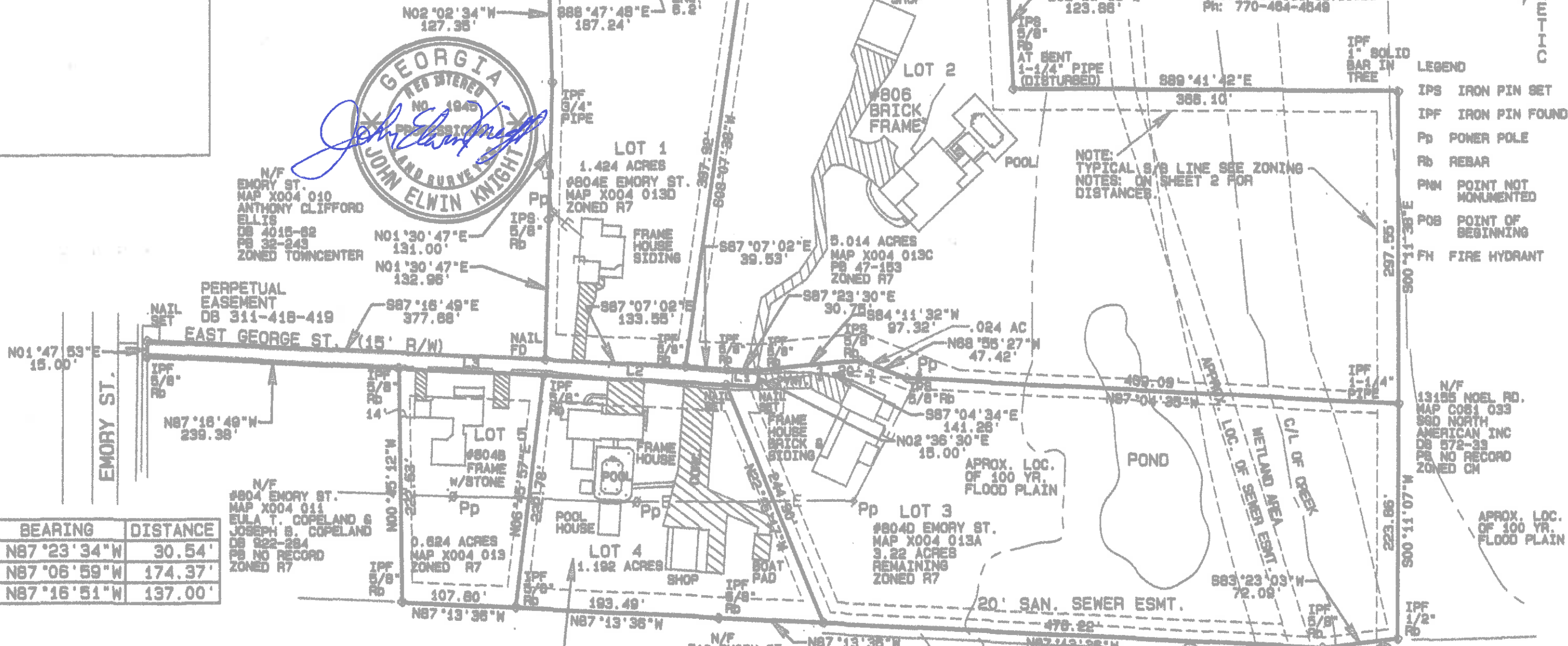


N/F  
EMORY ST.  
MAP X004 010  
ANTHONY CLIFFORD  
ELLIS  
DB 4016-62  
PB 32-243  
ZONED TOWNCENTER

N/F  
118 E CLARK ST.  
MAP X004 007  
JASON N. THOMAS  
& KRISTI J. THOMAS  
DB 3011-619  
PB 31-25  
ZONED TOWNCENTER

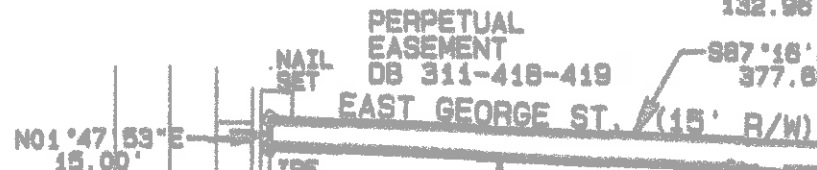
218 E CLARK ST.  
MAP X004 014  
ZAHERA MOMIN &  
ALIYAH Z. MOMIN  
DB 3389-233  
PB NO RECORD  
ZONED R7

N/F  
220 CLARK ST.  
MAP X004 001  
MARY DOBBS CARTER  
DB 915-282  
PB 9-117  
ZONED R7



- LEGEND
- IPS IRON PIN SET
  - IPF IRON PIN FOUND
  - Pd POWER POLE
  - Rd REBAR
  - PNM POINT NOT MONUMENTED
  - POB POINT OF BEGINNING
  - FH FIRE HYDRANT

NOTE:  
TYPICAL 8/8 LINE SEE ZONING NOTES: ON SHEET 2 FOR DISTANCES.



LINE	BEARING	DISTANCE
L1	N87°23'34"W	30.54'
L2	N87°06'59"W	174.37'
L3	N87°16'51"W	137.00'

NOTES:  
1. The field data upon which this survey was based has a closure precision of one foot in 11,302 feet and angular error of 20 seconds per angle point and was not adjusted.  
2. The closure precision for each lot exceeds one foot per 100,000 feet.  
3. The equipment used to prepare this survey was a TOPCON GTS-9C & LIETZ SET 3 total station.  
4. A portion of this survey is in a FIRM designated 100 yr. flood plain according to FIRM map #13217C0126D effective date 3/17/2014.  
5. The field work for this plat was done in MAY TO AUG 2018, & OCT/2020. The plat was drawn on date shown in the title block.  
6. All nails set are in asphalt on R/W of East George St.

N/F  
712 EMORY ST.  
MAP X005 001  
STEVEN R. ROAN &  
SUSAN D. ROAN  
DB 1955-179 PB 20-41  
ZONED R7

N/F  
#2315 IRIS DR  
MAP C051A 004  
JOHN LITTLE  
DB NO RECORD PB 47-220  
ZONED CM

N/F  
EMORY ST.  
MAP X005 001  
LARRY JOE ROSS JONES  
DB 3809-585  
PB NO RECORD  
ZONED R7

GRAPHIC SCALE 1"=100'

PLAT OF SURVEY FOR: ANTHONY C. ELLIS		SHEET 1 OF 2	
Scale: 1"=100	LAND DISTRICT 9 LAND LOT 288		
Date: 12/10/2020	CITY OF OXFORD NEWTON CO., GEORGIA		
Revised:	Drawn By: B.R.W.		
Job:	Surveyor: JOHN ELWIN KNIGHT GA. R.L.S. #1945		

CLERK'S STAMP FILING BOX

Owner Certification

The Owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that all state, city and county taxes or other assessments now due on this land have been paid in full.

*Anthony C. Ellis* 12/10/2020  
 Owner Date

Owner Date

Dedication Certification

It is hereby certified that the land and improvements shown on this plat and designated as being "Dedicated to Public Use," are hereby dedicated to the City of Oxford, State of Georgia for public use.

*Anthony C. Ellis* 12/10/2020  
 Owner Date

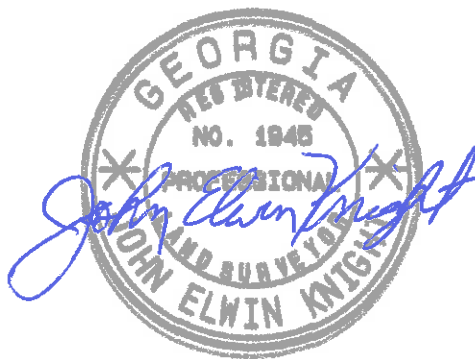
Owner Date

ZONING NOTES:

R-7.5 ZONING  
 MIN. ACREAGE PER DWELLING UNIT .17 AC.  
 MIN. LOT SIZE, DETACHED SINGLE FAMILY DWELLING (SQ. FT.) 7,500 SF  
 MIN. LOT SIZE FOR OTHER PERMITTED USE (SQ. FT.) 7,500 SF  
 MIN. LOT WIDTH, ALL USES (FT.) 50'  
 MIN. FLOOR AREA PER DWELLING 1,200 SF  
 MAX. BLDG. COVERAGE (PER CENT) 25%  
 MAX. BLDG. HEIGHT (FT.) 35'  
 SETBACKS  
 FRONT (FT.) 25' MIN.  
 SIDES (FT.) 10' MIN.  
 REAR (FT.) 20' MIN.  
 ACCESSORY BLDG.  
 FRONT (FT.) N/A  
 SIDE (FT.) 5' MIN.  
 REAR (FT.) 10' MIN.

TOTAL ACREAGE

TRACK 1	1.424 ACRES
TRACT 2	5.014 ACRES
	0.024 ACRES
TRACT 3	3.220 ACRES
TRACT 4	1.192 ACRES
TRACT 5	.624 ACRES
<b>TOTAL</b>	<b>11.498 ACRES</b>



OWNER/DEVELOPER  
 ANTHONY C. ELLIS  
 804 EMORY ST.  
 OXFORD, GA.  
 PHONE: 678-725-1405

Surveyed By:  
 John Elwin Knight,  
 Ga. R.L.S. 1945  
 P.O. Box 625  
 Social Circle, Ga. 30025  
 Ph: 770-484-4549

Tax Assessor's Certification

The pins and addresses have been added and approved by the Newton County Tax Assessors Office.

GIS Technician Date

Final Plat certification

This final Plat has been reviewed by the City of Oxford for compliance with the requirements of zoning regulations and is hereby approved for recording.

Signature Date

The sewer system to be installed per the City of Oxford specifications has been approved by the City of Oxford.

Signature Date

The drainage provisions to be installed per the City of Oxford specifications has been approved by the City of Oxford.

Signature Date

NOTE:

The Certification, as shown hereon is purely a statement of professional opinion based upon knowledge, information and belief, and based on existing field evidence and documentary evidence available. The Certification is not an expression or implied warranty or guarantee.

Surveyor Certification:

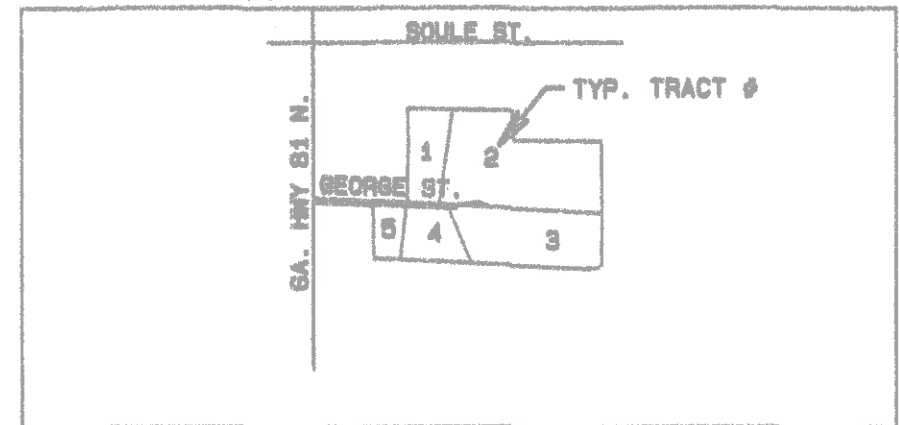
As required by subsection (c) of O.C.G.A. section 15-6-57, This plat has been prepared by a Land Surveyor and approved by all Applicable local jurisdictions for recording as evidence by approval certificates, stamps, or statements hereon, such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to the intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-57.

Surveyors Certification.

It is hereby certified that this plat is true and correct and was prepared from an actual survey by me or under my supervision, that all the monuments shown hereon actually exist or are marked "future," and their size, location, and type material are correctly shown, and that all engineering requirements of the City of Oxford have been fully complied with.

*John Elwin Knight*, G.A.R.L.S. 1945 12-10-2020  
 G.A.R.L.S. No. 1945 Date

VICINITY MAP NO SCALE



PLAT OF SURVEY FOR:  
 ANTHONY C. ELLIS

SHEET 2 OF 2

Scale: 1"=100 LAND DISTRICT 9 LAND LOT 288

Date: 12/10/2020 CITY OF OXFORD NEWTON CO, GA.

Revised: Drawn By: B.R.W.

Job: Surveyor: JOHN ELWIN KNIGHT GA. R.L.S. #1945

**INTERGOVERNMENTAL AGREEMENT FOR  
REIMBURSEMENT BY THE CITY OF OXFORD TO THE  
CITY OF COVINGTON FOR SIDEWALK  
CONSTRUCTION INVOICES**

This Intergovernmental Agreement entered into this the 4<sup>th</sup> day of January 2021 (the "Effective Date"), by and between **the City of Oxford**, a Georgia municipal corporation acting by and through its Mayor and Council (hereinafter "Oxford"), and **the City of Covington**, a Georgia municipal corporation acting by and through its Mayor and Council (hereinafter "Covington").

**WITNESSETH**

**WHEREAS**, the Constitution of the State of Georgia provides, in Article IX, Section III, Paragraph I, subparagraph (a), that any county or municipality of the State of Georgia may contract for any period not exceeding 50 years with each other or with any other public agency, public corporation or public authority for the provision of services, or for the joint or separate use of facilities or equipment when such contracts deal with services, activities, or facilities which the contracting parties are authorized by law to undertake or provide;

**WHEREAS**, Covington will contract with the Georgia Department of Transportation (hereinafter "GDOT") and the chosen contractor for the completion of sidewalk right-of-way acquisition and construction, partially within the city limits of Oxford, **Project No. 0012647**;

**WHEREAS**, Oxford desires to contract with Covington for payments by Oxford to Covington for amounts due for the portions of said project within Oxford's city limits.

**NOW, THEREFORE**, and based upon the preamble above as well as the exchange of good and adequate consideration, the receipt and exchange of which are acknowledged by the signatures below, the parties hereby agree as follows:

1. Oxford agrees to maintain a minimum \$50,000.00 balance in an account established by Covington at an FDIC insured bank for such purpose from which Covington may unilaterally draw funds to pay invoices for the cost of Oxford's portion of said project.
2. In the event the balance in such account falls below \$50,000.00 or Covington receives invoices in an amount exceeding the balance in such account, Covington shall notify Oxford of such deficiency. Oxford shall have 10 days from receipt of such notice to replenish the balance in the account to the larger of \$50,000.00 or the amount necessary to timely pay such invoices. At such time as the total amount of all contractual obligations for completion of the Project is less than \$50,000.00, the minimum amount required to be maintained in the escrow account shall be reduced to the amount required for completion of Oxford's portion of said project. The parties recognize and agree that it is anticipated that the Georgia Department of Transportation will make periodic reimbursement payments to Covington in a total amount equal to 75% of said project. It is the intention of the parties that Covington shall not be required to advance its funds in order to pay invoices as they are due and payable. To the extent Oxford is required to deposit funds in such account in order for Covington to timely pay any such invoices,

Oxford shall be entitled to repayment of such deposited amount in excess of \$50,000.00 upon receipt by Covington of reimbursement from the Georgia Department of Transportation and, upon completion of the Project, shall be entitled to return of all funds, if any, remaining in the escrow account.

3. Oxford, acting through its independent contractor or agents, shall perform all construction administration services and construction materials testing of the portions of said project within Oxford's city limits.
4. Except for those payment obligations of Covington expressly set forth herein, Oxford shall timely perform all obligations of Covington under that certain Agreement by and between Covington and GDOT for Transportation Facility Improvements dated December 11, 2013, a copy of which is attached hereto at Exhibit "A" and incorporated herein by reference.
5. To the fullest extent permitted by law, Oxford agrees to defend, indemnify and hold Covington and its agents and employees harmless against any claim(s) (including but not limited to, challenges, contests etc.) losses or expenses (including but not limited to, attorney fees and court fees) arising out of the performance or failure to perform the services provided by this Agreement.
6. The term of this Agreement shall be for twelve (12) months beginning on the Effective Date provided above.
7. This Agreement shall be deemed to have been made, construed, and enforced in accordance with the laws of the State of Georgia.
8. Should any phrase, clause, sentence, or paragraph of this Agreement be held invalid or unconstitutional, the remainder of the Agreement shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in the Agreement unless the elimination of such provision detrimentally reduces the consideration that any party is to receive under this Agreement or materially affects the operation of this Agreement.
9. The parties hereto shall comply with all applicable local, state, and federal statutes, ordinances, rules and regulations concerning the subject matter of this Agreement.
10. No consent or waiver, express or implied, by any party to this Agreement, to any breach of any covenant, condition or duty of another party shall be construed as a consent to or waiver of any future breach of the same.
11. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
12. The parties hereto agree to submit any controversy arising under this Agreement to mediation for a resolution. In the event the parties cannot agree on a mediator, the mediator will be selected by the Senior Judge of the Newton County Superior Court. The cost of mediation shall be borne equally by the parties.
13. No party hereto may assign any function or obligation undertaken by such party without the written approval of the other parties.

14. This Agreement shall be binding upon the parties and their successor and assigns for the full period of the term.
15. This Agreement constitutes the sole and final agreement between the parties relating to the subject of this agreement and all prior or contemporaneous agreements are superseded by it.

IN WITNESS WHEREOF, the parties hereto have caused their respective officers have caused this Agreement to be executed in their respective names and set their hands and to affix the respective seals of the parties the day and year first written above.

**THE CITY OF OXFORD, GEORGIA**

By: David S. Endy  
David S. Endy, Mayor

Attest: Marcia Braden  
Marcia Braden, City Clerk



**THE CITY OF COVINGTON, GEORGIA**

By: Steve Horton  
Steve Horton, Mayor

Attest: Audra M. Gutierrez  
Audra M. Gutierrez, City Clerk





**City of Oxford**  
**Invoices >=\$1,000**  
**December 2020**

VENDOR	DESCRIPTION	AMOUNT
<b>RECURRING CHARGES</b>		
City of Oxford	Utility Charges – November 2020	1,451.09
Newton County Board of Commissioners	Water Purchase November 2020; Invoice #2771	14,411.00
Newton County Water & Sewerage Authority	Sewer Treatment Fees, 10/29/2020 – 11/30/2020	6,002.41
GMEBS Retirement Trust	Employer Retirement Contributions January 2021; Invoice #387504	5,681.33
Georgia Environmental Finance Authority (GEFA)	Monthly Payment on Loan 2016L06WQ December 2020	4,556.05
Southeastern Power Administration (SPA)	SEPA Energy Cost (November 2020) Inv. #B-21-0372	3,160.17
Municipal Electric Authority of Georgia (MEAG)	Monthly Electric Purchases for October 2020	95,185.89
IRS	Federal Payroll Taxes, December 2020	15,410.30
Latham Home Sanitation	Commercial Waste Removal Services November 2020	7,361.18
VC3 (formerly Sophicity)	December charges for software and hardware support; invoice #56303	1,996.84

VENDOR	DESCRIPTION	AMOUNT
<b>PURCHASES/CONTRACT LABOR</b>		
C. David Strickland, P.C.	City Legal Services, November 2020; Invoices #13544, 13545,13546,13547	1,710.00
McNair McLemore Middlebrooks & Co.	Financial Consultant Services November 2020, Inv. #89323	1,485.00
Freeman Law Firm, LLC	Municipal Court Solicitor charges August – November 2020, Invoice #329	3,000.00
Scarborough Tree, Inc.	Remove 10 trees and marked shrubs at cemetery	4,800.00
Monroe Power Equipment Co., Inc.	Lawn Mower Repairs, Inv. # 178048	3,212.73