



**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