



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
WORK SESSION
MONDAY, JANUARY 25, 2021 – 6:30 PM
VIA TELECONFERENCE**

ELECTED OFFICIALS PRESENT:

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

APPOINTED/STAFF PRESENT:

Matt Pepper – City Manager
Marcia Brooks – City Clerk/Treasurer
Jody Reid – Utility Superintendent
Dave Harvey – Police Chief
David Strickland – City Attorney
Robert Jordan – City Engineer

OTHERS PRESENT: Mike Ready, Cheryl Ready, Michael McQuaide, Art Vinson, Laurie Vinson, Melissa Hage, Steve Longcrier.

Agenda (Attachment A)

1. Mayor's Announcements

2. Committee Reports

- a. Trees Parks and Recreation (TPR) Board – Cheryl Ready discussed several items the Board has been working on:
 - i. The ginkgo trees in the park were placed there before the ordinance revision listing approved plantings on City property was passed. They need to be replaced with some type of tree on the approved list that provides better shade.
 - ii. The Board has decided not to hold its traditional Arbor Day celebration due to concerns about large gatherings. They want to have their proclamation read at the February 1st regular City Council meeting, and also announce their selection for the Friends of Trees award during the meeting. Mayor Eady agreed with this plan.
 - iii. The Board has been unable to find a contractor to complete the split-rail fence replacement at George Street Park. Matt Pepper stated that the requirement for liability insurance in the City's contracts is a deterrent for contractors who would otherwise be willing to take on a small job.

Mayor Eady asked David Strickland if the insurance is a legal requirement or something the City Council has decide to require. Mr. Strickland advised that it is a City Council requirement, and it could be waived if the City Council so desires.

Jeff Wearing proposed that the City purchase the materials and that the work be completed by City staff and volunteers. Mayor Eady asked Mr. Wearing to coordinate this effort.

James Windham asked Cheryl Ready if it would be possible to place tree markers at various trees in the parks and along the trails. Ms. Ready stated that such markers were placed in the past, and squirrels had chewed them up. The only ones that are still present are those carved in rock or stone. The Board would be happy to consider this request if a material can be used that is squirrel-proof.

- b. Planning Commission – Matt Pepper stated that the Planning Commission plans to take up the issue of changing the zoning designation for certain properties along the east side of Emory Street to decrease the permitted density of these properties in their February meeting.
- c. Downtown Development Authority (DDA) – Mike Ready reported that the focus of the DDA at this time is to work with City staff on plans for increasing interest in the Farmer’s Market on the green. Their meeting on January 26th will continue this discussion.
- d. Sustainability Committee – Melissa Hage reported that the Committee continues working with John Devine of the Northeast Georgia Regional Commission to apply for the Georgia Outdoor Stewardship Program (GOSP) grant from the Georgia Department of Natural Resources (DNR) for restoration of the Dried Indian Creek Corridor, and that they are waiting for input from Mayor Eady and John Devine on their overall Sustainability Plan for the City and their Streets and Trails Plan. Mayor Eady advised that he will be in touch with Dr. Jon Calabria regarding the status of the evaluation being conducted by the University of Georgia. He also will be setting up a meeting with Mayor Steve Horton to discuss a possible partnership with the City of Covington on the Dried Indian Creek Corridor project. Mike McQuaide thanked Mayor Eady for moving forward on these tasks because the Committee was not sure how to proceed from this point to keep the effort moving.
- e. Committee on Race – Avis Williams reported that the Committee includes Anderson Wright, Amma Lou Gaither, Hurenza Lewis, Chaplain Lyn Pace (Oxford College), Pastor Charlie Williams (Mt. Zion First Baptist Church), and Rev. Johnnetta Johnson (Rust Chapel United Methodist Church). They have had a meeting in January and plan to have a meeting on February 1st at 5:30 p.m. Ms. Williams announced that they are planning a Black History Month commemorative program on February 28th at 3:00 p.m. This will be a virtual celebration. The national theme for Black History Month this year is The Black Family: Representation, Identity and Diversity. Plans for the celebration will be finalized at the meeting on February 1st. Details will be announced on the City website and by word of mouth.

Ms. Williams also reported that she and Mayor Eady were interviewed last week by one of the committees that is part of the Emory University task force that is looking at contributions of former slaves in and around the Oxford community to Emory University. She is on the committee responsible for naming and determining procedures for two scholarships.

Mayor Eady advised he spoke to Dean Hicks and let him know the City is interested in coordinating with Oxford College if there is a joint project that can be done that would memorialize the contributions of enslaved persons to the college and the town. He thanked Ms. Williams for her participation on this task force which is making recommendations directly to the President of Emory University.

3. E. George Street Right-of-Way

The purpose of this agenda item is to discuss acquiring additional property for right-of-way designation where E. George Street is located. This matter arose during discussion of a request for approval of a plat for a minor subdivision along this street. The street as shown on the plat is only a 15' right-of-way. Mayor Eady asked Robert Jordan of Jordan Engineering to provide his findings when he was mapping out that right-of-way during his right-of-way survey project.

Robert Jordan stated that there is a 15' strip of land that has identified as E. George Street at least since 1964 on a City of Oxford Address Map and again on a right-of-way map in 1983. He discussed the documents he has used as a basis for his platting that were the mechanisms that created E. George Street:

- In 1988, one of the Ellis family members deeded 3.4 acres at the end of George Street to another family member. It identifies a strip of land 15' in width going back several hundred feet from North Emory Street as an alley.
- In other documents it is referred to as E. George Street. In one document it is shown as 10' but in the other documents it is shown as 15'.

There are two mechanisms for creating a street:

- Prescription – used to access homes over a number of years, as well as access for delivery trucks and the public in general; and
- Intent to dedicate – an off-record, non-expressed method of conveying land.

The plat that was prepared in 1988 on behalf of F. Clifford Ellis clearly shows the strip of land as an alley. When the property was later transferred, it was shown as a public way. He believes that most of the evidence points to the strip of land being a public way. There is some evidence to the contrary, for example, the properties along the strip are not addressed.

Mr. Jordan quoted a court case as follows, “The usual burden of proof placed on the party asserting public dedication is reversed. An intent to dedicate the roadway to the public is presumed.” The court cases he has read indicate that if there are equal amounts of evidence on either side, it should be presumed that the dedication was intended to occur.

George Holt stated he was under the impression that if a property owner builds a subdivision, the property owner must deed the street and infrastructure to the city in order for the city to maintain it. He does not see any evidence that E. George Street has been

deeded to the City of Oxford. None of the houses on the street have an E. George Street address. The addresses for the houses are on Emory Street. He considers the property as a piece of property on Emory Street going back to Dried Indian Creek.

The property owners decided to build houses on the property, so they cut a right-of-way through the property to have an easement to get to the properties they were building. Mr. Holt considers this an illegal subdivision and does not understand why the City should have to buy property to make a street for someone who decided to build houses on their own property.

Mayor Eady asked David Strickland for his assessment on the issue. Mr. Strickland stated that a right-of-way can be dedicated expressly when the dedication language is on a plat for a subdivision or when a property owner conveys the property over in a right-of-way deed. It can also be by implication as described by Mr. Jordan when the landowners and members of the public treat it as a public road.

He believes it would be difficult to deny access to this property if it has been maintained as a public road.

Mr. Holt stated he does not want to deny access to the property. He just does not think the City should buy more property to cut a proper street through the property.

Mr. Strickland advised that there is a good argument to change the existing strip of land from a public road by implication to a platted expressly dedicated roadway in the width desired. Hopefully, it would increase the value of the properties that are located on E. George Street. They may be willing to donate the land or convey it to the City for less than the appraised value. He recommends trying this approach first to obtain the additional land needed for a proper street.

Avis Williams asked if the property owners have been approached about donating the land for the increasing the right-of-way.

Mr. Holt asked why all the houses are addressed on Emory Street if the street is E. George Street.

Mr. Wearing stated when they built the houses on the properties along this street, the addresses worked off Emory Street because it was never any type of street at all. By virtue of the City sending garbage trucks and other vehicles down the street, it should be City property in his opinion, because the City is not allowed to go on private property.

James Windham recommended asking the property owners if they will donate the property to the City. If they refuse, the City of Oxford will advise the property owners that the garbage truck will no longer leave Emory Street to go down E. George Street. No other City vehicles other than the city's power utility vehicles that normally go on private property should go down the street.

Mr. Wearing agreed with Mr. Windham that the City should not buy the property. Mr. Windham further stated that if the property owners are not willing to donate the property,

the City should stop its services on the street because it is private property. There is nothing other than the continued use of it to prove it belongs to the City of Oxford.

Mr. Windham named two other properties with similar situations, where City vehicles have gone down private roads in the past. Mr. Holt stated that just because City vehicles go down them does not make them City streets. Mr. Windham stated that Newton County ? has paved private property in the past but they cannot do this anymore.

Laura McCanless asked for clarification on how much property is being discussed for possible purchase. Specifically, she asked if the City would have to purchase the 15' strip that is currently identified on the plat, in addition to the amount of property needed to create a standard street.

Mayor Eady asked Mr. Strickland if the implication that E. George Street is a public road adequate to give the City of Oxford ownership rights to it. Mr. Strickland stated that according to caselaw a right-of-way by implication is whatever minimum width is required for the public to travel up and down the road. The City of Oxford would have to prove in court that the existing feet belongs to the City. He recommends Mr. Jordan developing a plat showing the original 15' by implication plus the additional property on one or both sides of it that shows what the City will ask the property owners to donate if the City Council wishes to pursue this option.

Mr. Wearing asked Jody Reid if the City of Oxford installed water lines going down E. George Street, or if the property owners installed their own water lines. He also asked if any repairs have been made if there are water lines on the street.

Ms. McCanless asked where the meters are and stated if the line is on the house side of the meter it is the property owner's responsibility, and if it is on the street side of the meter it is the City's responsibility.

Mr. Reid stated the City installed a 2-inch main all the way down the driveway at some time before he came to the City. Each house has its own tap and meter off this main. As far as he knows the City has always maintained them. He stated that they have made repairs along the line and have tapped one of the houses onto the line since he has been with the City of Oxford.

Mr. Strickland stated that the presence of the City water main and the ownership of the line on each side of the meter do not necessarily speak to the presence of a road there. A line could be extended across private property. He does not know if any easements were ever signed by the instant property owners, but the presence of this line does not make it a public road.

Mr. Wearing disagreed with Mr. Strickland's analysis.

Mr. Windham stated that the City has run water lines on private property in the past without obtaining easements. He stated that the point of this discussion is that the E. George Street public way does not meet the City's right-of-way standard width. There is not adequate room for two vehicles to travel on the road at the same time and place.

Mr. Jordan stated that the biggest drivers for minimum width on public streets is access for public safety and utility vehicles. The smallest minimum width he has seen in ordinances is about 50 feet.

Mayor Eady summarized the recommendations for moving forward as follows: To pursue designation of E. George Street as a standard City street, the City would have Mr. Jordan draw up a plat using the existing right-of-way as the center of the roadbed and establishing a fifty-foot-wide roadway. The City would then begin negotiations with the property owners and determine the cost to acquire the property necessary to accomplish designation of the street as a standard City street. Mr. Jordan and Mr. Strickland concurred with this approach.

Ms. McCanless stated she thought Mr. Strickland stated the City would need to go to court to secure the 15' section that is presently acknowledged as a right-of-way.

Mr. Strickland stated if negotiations took place between the property owners to relinquish additional property for the right-of-way, they would also be asked to relinquish the existing portions of the right-of-way adjacent to their properties through quit-claim deeds.

Ms. McCanless asked if the City will proceed with the work to bring it to standards once the City has the full 50 feet as a right-of-way.

Mayor Eady stated Mr. Jordan's drawing would serve as the basis for determining the cost to make improvements to it. The City would then make a decision based on that information on whether to complete the improvements.

Mr. Holt reiterated that the City would not put in a street if someone decided to put in houses on a deep plot of land; this would be the property owner's responsibility. He stated that the City should not pay for a street in this case.

Ms. McCanless agreed with Mr. Holt and also expressed concern about liability as soon as the City takes ownership of the 15' right-of-way. If a fire were to occur at the end of the street and fire vehicles could not get there or get water there soon enough, the City could face liability for the loss. The moment the City claims ownership of the right-of-way, it is responsible for providing adequate public safety services.

Mr. Windham, Mr. Wearing, and Ms. Williams agreed. Mr. Windham stated the City should disavow any claim to the existing right-of-way and stop sending vehicles down the street except for purposes the City would send vehicles onto any private property.

Mayor Eady asked if the City would be within its rights to disavow any claim of ownership and direct Latham Sanitation to stop collecting garbage along the street. Mr. Strickland advised that if the property owners countered that the street has been treated as a public way by implication for a number of years and they wanted it to continue to be treated as such, it would be a matter of evidence both sides could produce.

Mr. Holt asked if a public way is always owned by the City. Mr. Strickland indicated that it is not.

Mr. Windham stated that the street is essentially a driveway that is generally known as E. George Street. It is in the best interest of the property owners for it to be a City street because common addresses on Emory Street reduce the appraised and market value of the properties. The City should not be doing any maintenance there and should be doing any repairs there, including what has already been repaired at their request.

Mayor Eady stated that he is not hearing any interest in taking action on the property at all. Mr. Windham stated that is correct unless they are willing to donate the property. Mayor Eady stated that he discussed earlier that the City could have a proposed drawing done and approach the property owners, but that Ms. McCanless had raised the issue of liability for protection and maintenance of the street the moment ownership by the City is finalized.

Mr. Windham agreed and stated that the City should stop any services that are typically not done on other properties by the City. If the property owners ask why this action is being taken, they can be advised that it was discovered E. George Street is not a City street when they brought their request before the Planning Commission for a minor subdivision. If they want to discuss it further, they can approach the City Council about the decision.

Ms. McCanless asked how much it would cost to put in a street that meets standards. She knows that it would require a cul-de-sac for a fire vehicle to pull around.

Lynn Bohanan stated that a cul-de-sac would take a lot of some driveways and land from the property owners.

Mayor Eady stated that an estimate was obtained for the proposed development of E. Clark Street. It was in excess of \$200,000. He advised that the City is not going to take any action at this time on the issue, and the City will instruct Latham Sanitation not to drive down the street to pick up garbage.

4. Naming of Items at Asbury Street Park

The City has recently been approached by a resident of Oxford about wanting to memorialize their family by donating money to have a plaque installed on a park bench at Asbury Street Park. This is a good opportunity to include the TPR Board in a discussion so there is a procedure for this process in the future.

Avis Williams asked what the City's practice has been in the past if such requests have previously been honored. The task force she is on at Emory University is also considering some naming projects.

Matt Pepper stated there are currently two locations at Asbury Street Park where something has been placed. A plaque under the pavilion recognizes the Joiner family as a condition for allowing the City to purchase the property for the park. The Lions Club installed a plaque on the back of a bench in the park because they donated it to the City. These are the only two he is aware of.

Laura McCanless asked about benches on the Oxford Trail. She knows of one bench that has a dedication plaque on it. Mr. Pepper advised he would have to check on that one. Ms. McCanless believes those benches had to be paid for by donations to have plaques on them.

James Windham stated the trail was built by Newton Trails, and purchases of benches and bricks for the trail would have been handled by them. He is not opposed to allowing people to pay for benches but recommends that standards should be developed. For example, there should be a few benches to select from. There may be other options, such as trees. He generally thinks it is a good idea.

Mr. Pepper advised that the TPR Board had similar thoughts. At this time, they would like to focus on the benches already in place, and possibly expand to other items such as trees later on.

Mr. Windham stated they could start with the bench that was damaged by would-be thieves. There is also a bench facing the playground that sits right in the sun. Some kind of covering for that bench would be a welcome addition and provide park patrons some relief from direct sunlight.

Mr. Pepper asked if the current requestor could have a plaque placed on a bench if a donation is made to pay for it. Mr. Windham advised the TPR Board should be consulted about the standards they would prefer that people can buy for donation and present these recommendations to the City Council.

Mayor Eady asked Mr. Pepper to take this issue to the TPR Board for their recommendations, and in the short term the current requestor can make a donation to have a plaque placed on a bench.

5. **City Cemetery Agreement** (Attachment B)

The agreement between the City of Oxford and the Oxford Historical Cemetery Foundation is due for renewal. Mayor Eady asked if there are any recommendations for amendments. He acknowledged that there has been a lot of discussion about grounds maintenance at the cemetery, management of the cemetery, and the relationship between the City and the Foundation.

Laura McCanless noted that the maintenance agreement includes spreading fire ant treatment over the entire cemetery. The City Council is advocating spot treatment, so she recommends changing that aspect of the maintenance.

Mayor Eady stated that when he met with the trustees of the Foundation a few months ago, they indicated that another part of the maintenance contract, cleaning the headstones, is also problematic because pressure washing the stones could damage them and they had been advised not to do that.

Jeff Wearing stated that if pressure washing is performed correctly, damage would be very minimal, but it would need to be done by someone who knows what they are doing. Mayor Eady stated the Foundation was concerned about liability for irreplaceable stones as well as collateral damage to plants and grounds due to splashing of chemicals.

James Windham expressed frustration that the City is expected to do the research if they (the Foundation) are charged with keeping the stones clean.

Mr. Wearing stated this is one of the considerations in drawing up the new agreement.

Avis Williams stated that damage to one stone would be one too many. The City needs to do the research and include this information in the renegotiated agreement to ensure that the correct chemicals and procedures are used.

Mr. Windham asked if it would be possible to have some of the stones re-engraved.

Ms. McCanless stated that doing so would probably reduce the historical significance of them.

Mr. Windham pointed out that some of the oldest ones are difficult to impossible to read, complicating attempts to perform genealogical and historical research.

Mayor Eady discussed organizing a group of volunteers with a couple of City Councilmembers to work with the Foundation and come back with a recommendation on the path forward. It is not clear from recent conversations whether the City Council desires to continue its relationship with the Foundation. If the relationship is severed, the Foundation would be required to return the principal they have to the City.

Mr. Windham asked if liability for the cemetery extends to the City with the Foundation in place.

Mr. Strickland advised that if the City is inherently liable for an action, it would be responsible anyway. If the Foundation contracted for a service for the cemetery then walked away from it, could not pay for it, etc., unless the City signed as a guarantor it would not automatically inherit the liability of the Foundation for something they signed to do.

Mr. Windham stated that the agreement says the City assumes liability for all debts of the Foundation that it is unable to meet. Part 7 of the agreement states that if the Foundation is unable to meet the cost of maintenance, the City shall make a direct contribution to the Foundation.

Mr. Windham feels that the idea of a committee is a good idea.

Mayor Eady asked Councilmembers to let him know if they would like to serve on the Committee to come up with a recommendation for an agreement with the Foundation.

6. **FY2021 Budget Status**

Matt Pepper shared information concerning the status of the City's fiscal year budget at the midpoint of the year FY2021. His analysis shows that the City is in good shape financially due to revenues being higher than anticipated. Oxford College's decision to return to campus for the Fall 2020 semester, the passing of legislation in 2020 to require collection of sales taxes for online purchases, and the receipt of CARES Act Grant funds have helped cover the shortfalls in revenue that were anticipated when the budget was developed last spring.

Mayor Eady and the Councilmembers thanked Matt Pepper and Marcia Brooks for their work on the financial records of the City.

7. **July 4th Parade**

Mayor Eady requested input from the City Council on the July 4th parade. Given the current environment, it may be possible to still have the parade with limitations and restrictions on participants in the parade. Perhaps a community event is needed, and this might could be accomplished by asking participants to bring their own picnic basket to the park and draw circles to socially distance small groups of people.

Laura McCanless liked the idea of a socially distanced picnic because it would allow the City to “walk the walk,” in terms of the need to socially distance in public. She does not believe the City can conscientiously have a parade that is effectively distanced. She does not have faith that everyone will be vaccinated by then.

James Windham pointed out that the City must make an application with the Georgia Department of Transportation (GDOT) to close Highway 81. His recommendation is to have some type of commemorative display on the City green. One possible idea is to display a small American flag for every person from Newton County who has died in a war. He believes something like this could make a strong statement about the people who gave their lives for the country, the way of life, and the cost of war.

Ms. McCanless pointed out that a major reason there are so many participants in the parade is so that they can distribute their political announcements, advertisements, etc. Handouts would not be possible in a parade in the current pandemic environment. There are also crowds clustered along the side of the road and on vehicles, and the City would be condoning public gatherings.

George Holt, Avis Williams, and Mr. Windham stated it is too soon for them to gather.

Mayor Eady wanted to suggest a socially distanced gathering. He does not advocate a potluck dinner at the Old Church. The Asbury Street Park is much more accessible and is a good space to socially distance.

Mr. Windham agreed that a gathering at the park is a wonderful idea, but he does not see how the social distancing requirements can be enforced if 300-400 people are there. He recommends that the City not plan a public gathering.

Mayor Eady understood Mr. Windham’s concern. He wanted to open the discussion so that planning could start for whatever the City decides to do. Honoring those who have lost their lives due to war is more suited for Memorial Day. His suggestion is to honor those who have lost their lives in Newton County due to COVID-19. Several Councilmembers concurred with this idea. He asked the staff to bring a couple of ideas to the Council for ways to commemorate the holiday.

8. **Altitude Valve at Water Tank** (Attachment C)

The FY2021 Capital budget includes \$33,138 to replace the altitude valve at the City’s water tank. Jody Reid explained that the altitude valve controls the level of water in the water tank. It cuts off when the tank is full and opens when the water level in the tank is lower.

Public Works staff have been manually opening it, but in the last three or so months it has quite working completely, causing the tank to overflow when the level is too high. The valve on the tank is 34 years old. It has been rebuilt two different times. Replacing it will stop the overflow. The price to replace the valve includes and additional 10-inch valve to allow for a place to cut off the water to the altitude valve.

Bids were obtained for the valve and related supplies and the labor to install the valve. Staff recommends that the City Council award the purchase order for the valve and related supplies to Consolidated Pipe and Supply Co. for \$18,498.90 and the contract for labor to HCS Services, LLC for \$9,850.00, for a total cost of \$28,348.90.

James Windham recommended that the City proceed with this work because it is undermining the nearby trail and will cost the City more the longer it is delayed.

George Holt agreed, stating that this item has already been approved in the Capital budget, and the estimate is less than the amount approved.

Jeff Wearing and Avis Williams agreed.

Mayor Eady advised Matt Pepper and Mr. Reid to execute this project.

9. **FY2021 Local Maintenance Improvement Grant (LMIG)**

The FY2021 Capital budget includes the receipt of \$25,000 from the GDOT LMIG program to complete resurfacing and milling work on Longstreet Circle. GDOT has awarded the City of Oxford \$25,190.00. The City of Oxford will add a 30% match (\$7,557.27) for a total of \$32,190.90. The FY2020 award will also be added to the total to complete this work.

In the past, the City of Oxford has executed an intergovernmental agreement with Newton County for the city to provide the materials and for the county to provide the equipment and labor to complete these types of jobs. Most of them are one-to-two-day jobs. However, this job is going to take about one week to complete. Newton County is unable to help with this project, so the work will be put out for bid.

James Windham stated that when Longstreet Circle was built, the streets were not paved to standards that would allow them to last as long as they should have lasted. He recommends that the Planning Commission develop some paving guidance that would ensure that future subdivisions meet strict standards.

George Holt agreed with Mr. Windham.

Mayor Eady asked if there are any other issues to be discussed.

James Windham asked about the status of the planned crosswalk with traffic signals at Asbury Street Park on Highway 81.

Mayor Eady stated the crosswalk had been discussed in conjunction with the sidewalk from Soule Street going north. The crosswalk was planned for midblock between Emory Way and Mitchell Street. The GDOT standard for this type of crosswalk is a midblock crossing, not an intersection crossing.

Mr. Windham stated a sidewalk would be needed on both sides of the street at the crossing to allow access to the park. Mayor Eady clarified that it would continue due west to the park.

Mr. Windham expressed his concern that people are crossing Highway 81 at that point without any assistance to get to the park, which he does not think is fair.

Ms. McCanless asked if the crosswalk could be installed with the anticipation to put in the sidewalk later. She agreed the crosswalk is a priority.

Mr. Windham recommended installing a sidewalk at least from Soule Street to the park on the west side of the street. There is not currently complete access to the park.

George Holt asked which side the sidewalk is planned for. Mayor Eady advised the previous consensus was to build the sidewalk on the east side of the street because that is where residents on the north side of town would be better served, since right now they have inadequate access to Asbury Street Park. This plan included the crosswalk. It was also discussed that it takes too long to obtain grant funding for this project, and the City does have funding to cover the estimated cost.

Mr. Holt asked if the City could afford to put a sidewalk on the west side of Highway 81 between Soule Street and the park.

Ms. McCanless stated that park patrons could walk west one block to use sidewalks to get to the park on the west side, but that it is not an option on the east side of Highway 81.

Mr. Holt agreed.

Mr. Windham stated that ideally, sidewalks should go all the way to the city limits. For now, he believes the best way to spend the money is to go to Richardson Street on the east side because most of the foot and bike traffic originates from there or points south. He would also like to go ahead and install sidewalk on the west side from Soule Street to the park. The remaining sidewalk installation could wait until a grant is obtained.

Mayor Eady stated the engineers can draw plans for this design and bids can be obtained to determine the cost. Mr. Windham stated the City could also work with GDOT on the crosswalk. He also mentioned that a bridge could be installed on the west side connecting the crosswalk to the trail to provide safe access.

10. Adjourn

Mayor Eady summarized the discussion and action items:

- a. E. George St. – no action by City Council; Latham Sanitation will be asked not to drive down the street to pick up trash anymore. Any additional action will be triggered by the property owners.
- b. Naming of Items at Asbury Street Park – allow donation for current request; Matt Pepper will work with the TPR to come up with recommendations for procedures and standards for review by City Council.
- c. City Cemetery Agreement – Mayor Eady will set up a committee to work on a revised agreement or desired path forward.

- d. July 4th Parade – no July 4th parade or picnic.
- e. Altitude Valve at Water Tank – consensus from City Council to move forward.
- f. FY2021 LMIG – complete work on Longstreet Circle.
- g. Northside Sidewalk and Crosswalk – Mayor Eady and Matt Pepper will work with Keck & Wood to update the design, get bids, and start the permitting process with GDOT.

Mayor Eady adjourned the meeting at 8:36 p.m.

Respectfully Submitted,



Marcia Brooks
City Clerk/Treasurer

**OXFORD MAYOR AND COUNCIL
WORK SESSION
MONDAY, JANUARY 25, 2020 – 6:30 P.M.
CITY HALL (VIA TELECONFERENCE)
A G E N D A**

1. **Mayor's Announcements**
2. **Committee Reports** – The Tree Board, Planning Commission, Downtown Development Authority, Sustainability Committee, and the Committee on Race will update the Council on their recent activities.
3. **E. George Street Right-of-Way** – The Council will discuss acquiring additional right-of-way where E. George Street is located.
4. **Naming of Items at Asbury Street Park** – The Council will discuss whether we would like to create a process for citizens to make a donation in exchange for naming an item at the park.
5. ***City Cemetery Agreement** – The Council will discuss the existing agreement between the city and the Oxford Historical Cemetery Foundation. We have attached a copy of the agreement.
6. **FY2021 Budget Status** – Mr. Pepper will share the status of the operating budget at our mid-year with the Council.
7. **July 4th Parade** – We will discuss details regarding this year's July 4th Parade.
8. ***Altitude Valve at Water Tank** – The FY2021 Capital Budget includes \$33,138 to replace the altitude valve at the city's water tank. We received one bid for the altitude valve. We also received two bids for installation. We recommend that we award the purchase order to Consolidated Pipe and Supply Co. for \$18,498.90 for the valve and related materials and to HCS Services, LLC for \$9,850 to replace it. The total cost to replace the valve is \$28,348.90. We have attached a copy of the bids.
9. **FY2021 Local Maintenance Improvement Grant (LMIG)** – The FY2021 Capital Budget includes the receipt of \$25,000 from the LMIG program to complete resurfacing and milling work on Longstreet Circle. The Georgia Department of Transportation has awarded us \$25,190.90. We will add a 30% match (\$7,557.27) for a total of \$32,190.90.

*Attachments

COPY

AGREEMENT
between
The City of Oxford
and
The Oxford Historical Cemetery Foundation, Inc.

THIS AGREEMENT, entered into this 20th day of April, 2016, and between the **CITY OF OXFORD**, a municipal corporation chartered by the State of Georgia (hereinafter referred to as "the City") and the **OXFORD HISTORICAL CEMETERY FOUNDATION, INC.**, a Georgia charitable corporation incorporated by the State of Georgia (hereinafter referred to as "the Foundation").

Therefore, the parties agree as follows:

That, Oxford's City Cemetery, often referred to as Oxford Historical Cemetery (hereinafter "the Cemetery"), is a creature of the City of Oxford and is owned by the City along with the plot holders owning certain lots located therein.

That the Foundation's object and efforts have been and continue to be "to discover, procure, and preserve whatever may relate to the natural, civic, literary, and ecclesiastical history of the Oxford Cemetery in general and to the maintenance, care, and preservation thereof."

That both parties enter into this agreement for the purpose of the administering of the Cemetery to best serve the citizens of the City of Oxford, the persons owning plots located therein and the beautification and administration of the Cemetery itself.

The parties hereto agree as follows:

1. The term of this Agreement will be for an initial period of five years, renewable as set forth written hereafter.
2. That the City has the responsibility to ensure that the Cemetery is adequately maintained; and the City specifically sets forth that it is the City's intent and purpose to ensure the perpetual care of all plots and property located within the boundaries of the Cemetery.
3. It is the City's desire to contract with the Foundation for the providing of the maintenance and care of the Cemetery; however, it is understood and is agreed between the parties hereto, that the City shall be responsible for the upkeep of the streets and paved paths throughout the Cemetery and for major improvements as may be designated to the Cemetery. The City shall also be responsible for the removal of large trees. (Large trees are generally those over 15 feet tall.) The purpose of this concentrated effort by the City is to facilitate the Foundation's ability to maintain the Cemetery.

4. That it is the express purpose of this agreement, by both parties, to provide perpetual care to all plots in the Oxford Cemetery wherein the owners of same have paid to the City or the Foundation monies for the perpetual care thereof.
5. That the Foundation agrees, according to the terms set out hereafter, to direct, manage, maintain, and keep said Cemetery in a good state of upkeep, showing no favoritism toward any one section, location, or portion of said Cemetery and in doing so, the Foundation agrees to take such action and measures so as to maintain the Cemetery as per this Agreement. Actions of the Foundation shall include, but not necessarily be limited to: mowing, trimming, and blowing as necessary; pressure washing stones as needed; removing leaves and trash; removing old flower arrangements; applying fire ant poison; and cutting small trees (small trees are generally those under 15 feet tall) and bushes as needed. At any time the City feels that the Cemetery is not being so maintained, it shall notify the Foundation in writing of such concerns.
6. That the City shall be responsible for the sale of plots in the Cemetery under terms and conditions that the City may from time to time deem appropriate. The City shall maintain accurate records showing the location in the Cemetery of plots sold, designating the length and width of said plots and the number of grave sites located therein. The City will notify the Foundation of such sales and will provide the Foundation with records relating to the sales thereof on an annual basis or more often at the Foundation's request.
7. That as payment thereof it is agreed that the City shall pay to the Foundation two-thirds of such amounts as collected by the City for each gravesite for the maintenance as set forth above. The proceeds of these payments shall be added to the trust *corpus* to generate future earnings. It is anticipated by both parties that the sums plus the earnings from the Foundation's current assets and future anticipated funds from gifts, donations, grants, and lot sales will eventually produce sufficient earnings to pay the then current and future annual maintenance obligations. If the Foundation's annual income should not be sufficient to pay the maintenance cost of the Cemetery, the City shall make a direct contribution for maintenance to the Foundation based on a request from the Foundation to the City as part of the City's annual budget process. All proceeds thus generated shall be paid on a quarterly basis. All funds as provided by the City herein, except those funds for annual maintenance, shall be retained in a special bookkeeping account for the Foundation. Should any time the contract between the City and the Foundation not be renewed or is terminated, all funds and profits retained from these monies shall revert to the City.
8. That in addition to the above, the Foundation agrees to maintain records relating to its operations in the performance of this agreement, in a business-like manner, suitable for auditing. The City shall, at its own expense, have the right, at reasonable times, to examine or audit the records of the Foundation relating to the performance of this agreement including records, relating to income and expenditures and to make and preserve copies thereof.
9. The parties agree to use their best efforts to resolve any dispute as to the interpretation or application of this agreement. Any dispute must be reported in writing by one party to the other

within ninety (90) days after the complaining party becomes aware of facts giving rise to the dispute, or it will be waived. The party shall have sixty (60) days to resolve the dispute. Any dispute left unresolved after this period shall be decided by a panel of three (3) persons, one appointed by the City, one by the Foundation, and one by the two representatives. If the representatives cannot agree, the Chief Judge of Newton County Superior Court shall appoint the third part panel member. The panel shall receive written submissions by the parties within thirty (30) days after the panel is selected, and shall render its decision, without opinion, within thirty (30) days after submission of such written material. Each party shall bear its own costs.

10. The City and Foundation shall not discriminate based on race, color, religion, sex, or sexual orientation, or national origin in the performance of this agreement. In addition, neither party shall discriminate on any basis in the selections of persons dealing with the operation of the Cemetery nor the appointment of members to any committee, board, director or trustee.
11. No officer or member of the Foundation, nor the City, shall serve in the future hereafter with compensation for Cemetery work or business unless agreed to by both parties. It is understood that city employees will receive no compensation beyond their city salaries for any work related to the Cemetery.
12. This agreement shall supersede all prior agreements or understandings of the parties, and will be effective when signed by an authorized representative of the Foundation and by the Mayor of the City. Unless such execution occurs, the provisions of this memorandum are not binding.

WHEREFORE, it is agreed by and between the parties

THAT THIS AGREEMENT MAY BE RENEWED by the parties for an additional five year period at the expiration of this contract.

SIGNED, SEALED, AND DELIVERED, this 20th day of April, 2016.



Lauran S. Willis
Notary

Jerry D. Roseberry
Jerry D. Roseberry, Mayor
City of Oxford

Thomas H. Johnson
Thomas H. Johnson, President
Oxford Historical Cemetery
Foundation, Inc.



C O N S O L I D A T E D P I P E A N D S U P P L Y C O . , I N C .
C U S T O M E R Q U O T E

10887 OLD ATLANTA HWY
COVINGTON GA 30014

Quote Nbr: 272691 000
Quote Date: 1/20/2021

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0019 - TERRY NORMAN
BUS: 678-342-7666
WATTS: 800-540-9402
FAX: 678-342-9666

Job: 10" MATERIAL FOR ALTITUDE VLV

210121 - OXFORD CITY OF
110 WEST CLARK ST
OXFORD GA 30054

Good Until: 1/20/2021
To: JODY REID
Email: JREID@OXFORDGEORGIA.ORG

Line	Qty	Item	Size/Wall/Description	Price	Extended Price
1	2.0	228577	10 CDI MJXFLG ADPT	120.00 EA	240.00
2	1.0	270810	10 SIP EZGRP EZD10 DI REST L/ ACC	44.00 EA	44.00
3	1.0	275142	10 CDI 06 REG MJ ACC SET L/ GLD	16.35 EA	16.35
4	1.0	271810	10 SIP EZGRP EZPVC10 PVC REST L/ ACC	65.00 EA	65.00
5	1.0	233676	10 CDI 06 TRAN ACC SET L/GLD	18.75 EA	18.75
6	2.0	225170	10X3/4 ROMAC 202-11.10X3/4CC DS SDL	48.70 EA	97.40
7	2.0	31141	3/4 FORD FB1000-3G-NL BALLCORP CCX CTS LEAD FREE	58.70 EA	117.40
8	1.0		GA FIG 3300DR DOUBLE ACTING ALTITUDE VALVE	17,900.00 EA	17,900.00
Total:					18,498.90

Terms: NET 30 DAYS

Above prices firm for delivery within 60 days provided order is placed within 10 days. All quantities and materials listed are our interpretation of the specifications and are not guaranteed. Material warranties are limited to that of the manufacturers only. Project quoted as a complete package and

C U S T O M E R Q U O T E

Quote Nbr: 272691 000

Quote Date: 1/20/2021

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Line	Qty	Item	Size/Wall/Description	Price	Extended Price
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sale subject to credit approval. All MJ fittings quoted per pound are with accessories and based on with accessory weights

Thank you for the opportunity to quote on your requirements. If we can be of further assistance, please do not hesitate to call.

Matt Pepper

From: Jody Reid
Sent: Wednesday, January 20, 2021 4:14 PM
To: Matt Pepper
Subject: Fwd: 10" Gate valve

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Debbie S. <debbie@andersongrading.com>
Sent: Wednesday, January 20, 2021 4:10:40 PM
To: Jody Reid <JReid@oxfordgeorgia.org>
Cc: Jason Anderson <jason@andersongrading.com>; Kip Martin <kip@andersongrading.com>
Subject: 10" Gate valve

Our price to Install a 10" gate valve (supplied by Anderson) and an altitude valve (supplied by City) is \$18,500.00 at the water tank in Oxford.

Thanks!

Debbie Stemen



128 E. Highland Ave. PO Box 602
Monroe, GA 30655
Office: (770) 385-1018, ext. 117
Cell: (678) 549-6685

Matt Pepper

From: Jody Reid
Sent: Wednesday, January 20, 2021 1:41 PM
To: Matt Pepper
Subject: Fwd: proposal for altitude valve

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: huiestewart <huiestewart@gmail.com>
Sent: Wednesday, January 20, 2021 1:15:59 PM
To: Jody Reid <JReid@oxfordgeorgia.org>
Subject: proposal for altitude valve

HCS Services proposes to install new altitude valve at water tank. Valve provided by the city.
20' of 10" water line
1 10" valve
Valve Box and marker
1 concrete blocking
Material and labor
For a total of: \$9,850.00

Sent from my Sprint Samsung Galaxy S10+.