



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

**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 (NEGRRC) 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