



**MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
WORK SESSION  
MONDAY, August 19, 2019 – 6:00 PM  
CITY HALL**

**MEMBERS PRESENT:** Mayor Jerry D. Roseberry; Councilmembers: Jim Windham, Sarah Davis, George Holt, David Eady, Mike Ready, and Jeff Wearing.

**OTHERS PRESENT:** Matt Pepper, City Manager; Dave Harvey, Police Chief; Connie Middlebrooks, City Clerk; Jody Reid, Utility Superintendent; Michael McQuaide, Art and Laurie Vinson, Laura Gafnea, from Oxford College; Judy Greer, Chris Madden, Robert Bayliss, Dave Huber, Nick Cole, and Caitlin Jett, from the Covington News.

The meeting was called to order by Mayor Jerry D. Roseberry.

**Agenda** (Attachment A)

**1. Mayor's Announcements**

Mayor Roseberry began the meeting by welcoming back Matt Pepper. Matt and his wife Xan welcomed their first child on Tuesday, August 13, 2019. The Mayor reminded Council that this week is qualifying week. Anyone interested in running for City Council Post or for Mayor should register this week and can do so in the Clerk's office.

**2. 107 W. Clark Street Renovation Project**

Councilmember Wearing updated Council on the status of the Yarbrough House renovation project. He stated that he has not been able to communicate with the architects from Carter Watkins Associates. Councilmember Wearing stated he hoped to meet with them on Tuesday, August 20, 2019. Therefore, there were no updates to be reported at this time.

**3. City Ordinance 34-26 Vehicle Gross Weight**

Chief Dave Harvey addressed Council on concerns of several citizens starting to park multi-axel vehicles at their residence inside subdivided neighborhoods, which exceed weight limits addressed in city ordinance 34.26. Council readdressed the concerns of resident Tim Williams (229 East Soule Street), who has been parking his dump truck at his residence for many years without issue. Councilmember Holt questioned if ordinance 34.26 was the correct one to address the issue because the ordinance uses the terminology "through traffic" and residential traffic is not through traffic. Mayor Roseberry suggested Chief Harvey and Matt Pepper investigate improving the terminology of the ordinance. In addition, Judy Greer (201 Fletcher Street) asked if Chief Harvey could also search the city ordinances for how many cars can be parked at a residence at any given time. She has noticed several residences with up to five or six cars parked during the day.

**4. Alley Between 712 and 802 Emory Street**

Councilmember Eady summarized the discussion that occurred at the last meeting regarding determining ownership of the alley between 712 and 802 Emory Street. He stated the cost is minimal for the city to continue the investigation to determine ownership. Councilmember Holt questioned who is paying the taxes on the alley. Councilmember Eady replied that the Roan family were paying the taxes until they brought it to the attention of the NC Tax Assessor and the tax map was adjusted. City Attorney David Strickland informed Council that the investigation that had been conducted by Jordan Engineering went back to 1908, where the parcel is referenced as a public alley. There is no documentation conveying the parcel to any one entity. Councilmember Windham questioned how it became the city's responsibility to conduct all the research pertaining to the parcel. Councilmember Eady responded that the city put the sewer line through that property based on the assumption that the city owned that parcel and did so without acquiring an easement. The easement acquired from the Roan family stops at that parcel. Mayor Roseberry stated his position on the parcel is that the city should quitclaim the alley to the parties involved (Roan and Bayliss). Mr. Strickland clarified the difference between a quitclaim deed and a warranty deed. A quitclaim states you are relinquishing interest in the parcel, but you are not guaranteeing what is included in the parcel. Statute states that for a parcel this small, the city can offer it to the parties involved without holding a public auction. It does not state how it must be divided. That can be determined by the city. Councilmember Windham advised that once a quitclaim deed occurs you create a common drive which will affect the value of the property at resale. Councilmember Eady reiterated that it is in the best interest of the city, especially since the sewer line was run through the parcel and that a potential precedent will be set, to move forward with determining and certifying ownership. He continued to address the fact that the city had not held any public hearings to grant a variance, to overturn the Planning Commission decision, or to amend any city ordinance. At the August 5<sup>th</sup> regular session Council voted to allow the Roan's to move forward at their own risk, which Councilmember Eady was opposed. Consensus of Council was to consider the quitclaim and the issue will be moved to the next regular session for a vote.

#### **5. Planning Commission Membership Requirements**

Council continued discussion on issues surrounding Planning Commission membership and having enough members present at any given meeting to approve development permit applications. Mayor Roseberry suggested reducing the current quorum from four to three. Councilmember Windham suggested dissolving the commission and Council calling a special called work session to approve development permit applications, as needed. Councilmember Eady stated there have been no significant timing issues with approval of permit applications and the commission should focus on developing an attendance policy. In addition, if the need arises and a period of time passes with no decision, Council could issue a decision. Councilmember Ready suggested that the Planning Commission consider the idea of calling a special called meeting when they are aware a quorum will not be present to approve pending applications.

#### **6. Pending City Projects**

City Manager Matt Pepper updated Council on pending projects throughout the city. He stated that at the last regular session, Council had voted to re-bid the Moore Street Sidewalk project and to date, that project had been re-posted; Emory Street Project – IGA between City of Covington and City of Oxford had been approved and signed by both parties and at present GADOT is preparing documentation with City of Covington; At present, city staff is gathering information as to whether the East Clark Street project can be completed by HCS Services for the original bid amount.

#### **7. Traffic Control on Soule Street**

Councilmember Windham stated the city would be well served to put three speed tables on East Soule Street. With the commercial development occurring between Alcovy Road and City Pond Road, the city is sure to see an

influx of through traffic. Councilmembers Holt and Eady agreed and asked that the city receive a cost analysis to install the speed breakers. Council also requested that Chief Harvey investigate any laws or GADOT guidelines that would need to be upheld.

#### **8. Water Fountains and Pet Sanitation Stations**

Councilmember Windham requested that Council consider the city installing more water fountains and pet sanitation stations throughout the city. These items have been a success at the new Asbury Street Park, and he believes it would contribute to keeping the city clean and beautiful. Mayor Roseberry was in favor and requested a cost analysis along with tentative location sites be provided to Council.

**Work Session Adjourned at 6:45 pm.**

**Special Called meeting called to order at 6:50 pm by the Hon. Jerry Roseberry**

**Motion to enter Executive Session by Wearing - Seconded by Windham. Motion approved unanimous 7/0.**

Litigation: City Attorney David Strickland updated Council on ongoing litigation.

Personnel: Council discussed circumstances pertaining to city staff.

**Motion to adjourn Executive Session Windham – Seconded by Wearing. Motion approved unanimous 7/0.**

**Special Called Meeting adjourned 7:23 pm.**

**Motion to adjourn Council Meeting 7:23 pm Wearing – Second Windham. Motion approved unanimous 7/0.**

Respectfully Submitted,

Connie D. Middlebrooks  
City Clerk