



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
REGULAR SESSION
MONDAY, AUGUST 5, 2024 – 7:00 PM
CITY HALL**

ELECTED OFFICIALS PRESENT:

George Holt – Councilmember
Laura McCanless – Councilmember
Mike Ready – Councilmember
Erik Oliver – Councilmember
Jim Windham – Councilmember

ELECTED OFFICIALS NOT PRESENT:

David Eady – Mayor
Jeff Wearing – Councilmember

APPOINTED/STAFF PRESENT:

Bill Andrew – City Manager
Marcia Brooks – City Clerk/Treasurer
Mark Anglin – Police Chief
David Strickland – City Attorney

OTHERS PRESENT: Nick Cole, Mike McQuaide, Drew Garner

1. The meeting was called to order by the Honorable Erik Oliver, Mayor Pro Tem.
2. **Laura McCanless made a motion to accept the agenda for the August 5, 2024 Mayor and Council Regular Meeting. George Holt seconded the motion. The motion was approved unanimously (5/0).** (Attachment A)
3. **Laura McCanless made a motion to approve the Consent Agenda. Mike Ready seconded the motion. The motion was approved unanimously (5/0).** (Attachment B)
4. **Mayor's Report**
5. **Citizen Concerns**
Drew Garner spoke to the City Council about regulation and use of golf carts within the City limits. Mr. Oliver stated that the topic would be added to the August work session agenda if Mayor Eady approves so the City Council could discuss it.
6. **Adoption of City of Oxford 2024 Property Tax Millage Rate** (Attachment C)

Mike Ready made a motion to adopt the proposed 2024 Property Tax Millage Rate of 5.444 mills for the City of Oxford. Laura McCanless seconded the motion. The motion was approved unanimously (5/0).

7. **3rd Amendment for the Pineview Solar Project** (Attachment D)

Laura McCanless made a motion to approve the 3rd amendment for the Pineview Solar Project. Mike Ready seconded the motion. The motion was approved unanimously (5/0).

8. **Award of Contract for Multi-Use Trail Design** (Attachment E)

Jim Windham made a motion to award the contract for the Multi-Use Trail Design to AtkinsRealis. Mike Ready seconded the motion. The motion was approved unanimously (5/0).

9. **Second Read for Charter Changes** (Attachment F)

George Holt made a motion to approve the second reading of the charter changes related to City Manager personnel responsibilities and permitting the serving of alcoholic beverages in the City of Oxford. Jim Windham seconded the motion. The motion was approved unanimously (5/0).

10. **Replace Stormwater Pipe at the corner of Asbury Street and Collingsworth Street**
(Attachment G)

Mike Ready made a motion to approve the staff recommendation to award the contract to HCS Services, LLC. Laura McCanless seconded the motion. The motion was approved unanimously (5/0).

11. **Invoices** (Attachment I)

The City Council reviewed invoices paid for \$1,000 or more in the month of July 2024. Bill Andrew announced that GDOT has not yet approved the crosswalk and signal on Emory Street. They want to do a study before considering approval of it.

12. **Executive Session**

None.

13. **Adjourn**

Jim Windham made a motion to adjourn at 7:32 p.m. George Holt seconded the motion. The motion was approved unanimously (5/0).

Respectfully Submitted,



Marcia Brooks
City Clerk/Treasurer

OXFORD MAYOR AND COUNCIL
REGULAR SESSION
AUGUST 5, 2024 – 7:00 P.M.
CITY HALL – 110 W. CLARK ST. OXFORD, GA 30054
A G E N D A

- 1. Call to Order – Mayor Pro Tem Erik Oliver**
- 2. Motion to accept the Agenda for the August 5, 2024 Mayor and Council Regular Meeting.**
- 3. Consent Agenda:**
 - a. *Minutes of the City Council Regular Session on July 1, 2024
 - b. *Minutes of the Property Tax Millage Rate Public Hearings on July 15, 2024
 - c. *Minutes of the City Council Special Called Voting Meeting on July 15, 2024
 - d. *Minutes of the City Council Work Session on July 15, 2024
- 4. Mayor’s Report:**
- 5. Citizen Concerns**
- 6. *Adoption of City of Oxford 2024 Property Tax Millage Rate**
- 7. *Consider Approving the Third Amendment for the Pineview Solar Project:** MEAG has informed us that Peak Clean Energy is unable to perform on this project. Please see the attached memo to consider a third amendment to the Solar Power Purchase Agreement.
- 8. *Consider Awarding the Multi-Use Trail Design to AtkinsRéalis as Recommended by the Review Team’s Assessment of the RFQ :** The City received six complete responses from AtkinsRealis, Carter & Sloope, CPL, Falcon, Thomas & Hutton, and W&A. There was one, incomplete response from ESG Engineering, which was not considered. A review team made up of Mayor Eady, Bill Andrew, Jody Reid, and Mark Anglin reviewed the submissions and will report to the Council.
- 9. *Second Read for the Charter Changes:**
 - a. *Alcoholic Beverage Service in Oxford: Note, the Downtown Entertainment District for Outside Consumption has been removed.
 - b. *Updates to City Manager Personnel Responsibilities
- 10. *Consider the Proposals to Replace the Stormwater Pipe at the Corner of Asbury and Collingswood Street:** Staff recommends the bid from HCS for \$27,750. The bid from Anderson Grading & Pipeline was \$36,198. The City has \$100,000 in Stormwater Improvements within the FY 2025 Capital Improvement Plan.
- 11. *Invoices:** Council will review the city’s recently paid invoices over \$1,000.
- 12. Executive Session:** An Executive Session could potentially be held for Land Acquisition/Disposition, Addressing Pending or Potential Litigation, and/or Personnel.
- 13. Adjourn**

*Attachments



**DRAFT MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
REGULAR SESSION
MONDAY, JULY 1, 2024 – 7:00 PM
CITY HALL**

ELECTED OFFICIALS PRESENT:

David Eady – Mayor
George Holt – Councilmember
Laura McCanless – Councilmember
Mike Ready – Councilmember
Jeff Wearing – Councilmember (late)
Erik Oliver – Councilmember

APPOINTED/STAFF PRESENT:

Marcia Brooks – City Clerk/Treasurer
Mark Anglin – Police Chief
David Strickland – City Attorney

ELECTED OFFICIALS NOT PRESENT:

Jim Windham – Councilmember

OTHERS PRESENT: Anderson Wright, Robert Lane (Main Street Developers); Laura Gafnea (Oxford College)

1. The meeting was called to order by the Honorable David S. Eady, Mayor.
2. **Jeff Wearing made a motion to accept the agenda for the July 1, 2024 Mayor and Council Regular Meeting. Erik Oliver seconded the motion. The motion was approved unanimously (6/0).** (Attachment A)
3. **Laura McCanless made a motion to approve the Consent Agenda. Mike Ready seconded the motion. The motion was approved unanimously (6/0).** (Attachment B)
4. **Mayor's Report**
5. **Citizen Concerns**
6. **Consider Awarding Bid to Peach State Construction for the Whatcoat Street Project** (Attachment C)

Laura McCanless made a motion to approve awarding the bid to Peach State Construction for the Whatcoat Street Project. Mike Ready seconded the motion. The motion carried (5/1). Erik Oliver voted Nay.

7. **Award of Paving Bid to East Coast Grading, Inc.** (Attachment D)

Laura McCanless made a motion to approve awarding the paving bid to East Coast Grading, Inc. Jeff Wearing seconded the motion. The motion was approved unanimously (6/0).

8. **Rights of Way Encroachment Update** (Attachment E)

Robert Jordan has prepared preliminary drawings for the most urgent encroachments. He has provided estimates of the cost to prepare documents that can be submitted for recording these encroachments officially with the property records in Newton County Superior Court. David Strickland recommends that the City prioritize the encroachments and address the ten or so properties where real property or other significant property improvements encroach on rights-of-way. He recommends sending those property owners a letter from the City along with the official documents prepared by Robert Jordan.

Bill Andrew asked for the City Council's direction on moving forward with the next step of having Robert Jordan complete the first set of official documents.

Erik Oliver stated that he would like for some of the property owners with minor encroachments to be given a chance to mitigate the encroachments. He also expressed concern about using taxpayer money to complete this work and indicated that the City should also address any situations where its buildings and significant property improvements are encroaching on private property.

George Holt questioned why the documents need to be prepared again by Robert Jordan. He contended that the City should already have what it needs. David Strickland advised that Mr. Jordan will bring the research on the property titles up to date and also put them in a format that is suitable for official filing. The right-of-way survey documents the City currently has from 2017 are not suitable for filing official documents for distinct properties.

9. **Charter and Ordinance Changes** (Attachment F)

David Strickland clarified that this is considered a first reading for both charter and ordinance changes.

Mike Ready made a motion to approve the first reading of the charter changes related to City Manager personnel responsibilities and permitting the serving of alcoholic beverages in the City of Oxford. Laura McCanless seconded the motion. The motion was approved unanimously (6/0).

Erik Oliver made a motion to approve the first reading of the ordinance changes relating to regulation of alcohol taxes. Laura McCanless seconded the motion. The motion was approved unanimously (6/0).

10. **Vote to Set the Property Tax for Fiscal Year 2025** (Attachment G)

Marcia Brooks clarified that tonight's vote is the City Council's recommendation pending public notice and comment. The City must still hold three public hearings followed by a final vote on August 5, 2024.

Mike Ready made a motion to approve the recommendation to set the 2024 millage rate at 5.444. Erik Oliver seconded the motion. The motion was approved unanimously (6/0).

11. Extension of the Turkey Creek Sewer Moratorium (Attachment H)

Erik Oliver made a motion to approve the extension of the Turkey Creek Sewer Moratorium to January 1, 2025. Jeff Wearing seconded the motion. The motion was approved unanimously (6/0).

12. Approve the Carter and Sloope Task Order for the Lead and Copper Waterline Inventory (Attachment I)

Laura McCanless made a motion to approve the task order for the Lead and Copper Waterline Inventory. Mike Ready seconded the motion. The motion was approved unanimously (6/0).

13. Trees, Parks and Recreation Board Nomination (Attachment J)

Erik Oliver made a motion to approve the nomination of Susan Ballard to the Trees, Parks and Recreation Board. Jeff Wearing seconded the motion. The motion was approved unanimously (6/0).

14. Invoices (Attachment K)

The City Council reviewed invoices paid for \$1,000 or more in the month of June 2024.

Jeff Wearing requested a new set of bids for uniforms to see if more reasonable prices could be obtained than what the City is currently paying. Bill Andrew advised he would work with Jody Reid on this task.

15. Executive Session

None.

16. Adjourn

Jeff Wearing made a motion to adjourn at 7:35 p.m. Erik Oliver seconded the motion. The motion was approved unanimously (6/0).

Respectfully Submitted,

Marcia Brooks
City Clerk/Treasurer



**DRAFT MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
SPECIAL CALLED MEETING
MONDAY, JULY 15, 2024 – 6:30 PM
DRAFT**

ELECTED OFFICIALS PRESENT:

David Eady – Mayor
George Holt – Councilmember
Laura McCanless – Councilmember
Mike Ready – Councilmember
Jim Windham – Councilmember
Erik Oliver – Councilmember
Jeff Wearing – Councilmember

APPOINTED/STAFF PRESENT:

Marcia Brooks – City Clerk/Treasurer
Bill Andrew – City Manager
Mark Anglin – Police Chief
Jody Reid – Supervisor of Utilities and
Maintenance

OTHERS PRESENT: Theresa Eady, Nick Cole.

1. The meeting was called to order by the Honorable David S. Eady, Mayor.
2. **Agenda – Special Called Meeting** (Attachment A)

Jeff Wearing made a motion to approve the agenda for the Special Called Meeting. Mike Ready seconded the motion. The motion was approved unanimously (7/0).

3. **Award of Bid to Peach State Construction for the Whatcoat Street project and authorization for the Mayor to sign the contract** (Attachment B)

Mayor Eady explained that the vote in the previous meeting did not authorize the Mayor to sign a contract.

Mike Ready made a motion to award the bid to Peach State Construction and authorize the Mayor to sign the contract. Jeff Wearing seconded the motion. The motion carried by a vote of five to two (5/2). Jim Windham and Erik Oliver voted nay.

4. **Task Order from AtkinsRealis for Whatcoat Street project** (Attachment C)

Erik Oliver made a motion to table the vote for the task order. Laura McCanless seconded the motion.

Discussion:

Mayor Eady explained that the task order is intended to cover any changes to the project drawings that are recommended by the City Council and the construction management for the project.

George Holt asked why the City would be paying for changes that have not yet been defined. Laura McCanless asked if the \$15,000 is supposed to cover construction management. The task order does not specify that it does. She also recommended that construction management be separated from any construction drawings in separate task orders. She indicated she is not prepared to vote this evening on the task order as it stands.

The motion was approved unanimously (7/0).

5. Task Order for Robert Jordan to begin the ROW Easement Mapping (Attachment D)

The cost will not exceed \$7,500. George Holt asked why the City is paying for work that was already completed by Mr. Jordan several years ago. David Strickland clarified that the cost would cover doing all research required to bring the properties up to date regarding the status of the encroachments and to produce legal documents suitable for filing with the Newton County Superior Court. The process also includes execution of an encroachment agreement with the property owner(s).

There was a discussion regarding how many encroachments tonight's vote covers. Bill Andrew advised that the proposal is for Robert Jordan to perform the defined work for all of the encroachments in the City that were identified by Mr. Jordan's previous work for no more than \$7,500.

Erik Oliver made a motion to authorize the Mayor to sign a task order for Robert Jordan to complete the ROW Easement mapping. Laura McCanless seconded the motion. The motion was approved unanimously (7/0).

6. Replacement of Fountains at Asbury Street Park (Attachment E)

Bill Andrew explained that the City Council already approved a contract for this work by Morningside Plumbing. However, when they arrived on site to start the work, they realized it was much more complicated than they previously assumed. They have submitted a revised proposal. Another vendor, Art Plumbing Company, now has the low bid.

Erik Oliver made a motion to approve the bid of 19,161.51 by Art Plumbing Company to replace the fountains at Asbury Street Park. Jeff Wearing seconded the motion. The motion was approved unanimously (7/0).

7. Adjourn

Laura McCanless made a motion to adjourn the special called meeting at 6:48 pm. Mike Ready seconded the motion. The motion was approved unanimously (7/0).

Respectfully Submitted,

Marcia Brooks
City Clerk/Treasurer

110 W. Clark Street
Oxford, GA 30054
Phone 770-786-7004
Fax 770-786-2211
www.oxfordgeorgia.org



Incorporated December 23, 1839

Mayor David S. Eady
City Manager Bill Andrew
City Clerk/Treasurer Marcia Brooks

July 2, 2024

PRESS RELEASE ANNOUNCING A PROPOSED PROPERTY TAX INCREASE

The City of Oxford today announces its intention to increase the 2024 property taxes it will levy this year by 15.46% over the rollback millage rate.

Each year, the board of tax assessors is required to review the assessed value of taxable property for property tax purposes of taxable property in the county. When the trend of prices on properties that have recently sold in the county indicate there has been an increase in the fair market value of any specific property, the board of tax assessors is required by law to re-determine the value of such property and adjust the assessment. This is called a reassessment.

When the total digest of taxable property is prepared, Georgia law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year's digest that last year's millage rate would have produced had no reassessments occurred.

The budget adopted by the City of Oxford requires a millage rate higher than the rollback millage rate; therefore, before the Mayor & Council of the City of Oxford can set a final millage rate, Georgia law requires three public hearings to be held to allow the public an opportunity to express their opinions on the increase.

All concerned citizens are invited to the public hearings on this tax increase to be held at Oxford City Hall, 110 West Clark Street, Oxford, Georgia on July 15, 2024, at 9:00 AM and 6:00 PM and on August 5, 2024, at 6:00 PM.

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2024

COUNTY: **NEWTON** TAXING JURISDICTION: **OXFORD**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2023 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2024 DIGEST
REAL	43,004,206	6,176,504	(8,282)	49,172,428
PERSONAL	138,486		104,955	243,441
MOTOR VEHICLES	447,030		(69,730)	377,300
MOBILE HOMES	480		0	480
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	151,014		(149,312)	1,702
GROSS DIGEST	43,741,216	6,176,504	(122,369)	49,795,351
EXEMPTIONS	3,657,795		28,340	3,686,135
NET DIGEST	40,083,421	6,176,504	(150,709)	46,109,216
	(PYD)	(RVA)	(NAG)	(CYD)
2023 MILLAGE RATE:	5.444		2024 MILLAGE RATE:	5.444

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2023 Net Digest	PYD	40,083,421	
Net Value Added-Reassessment of Existing Real Property	RVA	6,176,504	
Other Net Changes to Taxable Digest	NAG	(150,709)	
2024 Net Digest	CYD	46,109,216	(PYD+RVA+NAG)
2023 Millage Rate	PYM	5.444	PYM
Millage Equivalent of Reassessed Value Added	ME	0.729	(RVA/CYD) * PYM
Rollback Millage Rate for 2024	RR - ROLLBACK RATE	4.715	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2024 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	4.715
	2024 Millage Rate	5.444
	Percentage Tax Increase	15.46%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

 Chairman, Board of Tax Assessors Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

 Tax Collector or Tax Commissioner Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2024 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2024 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2024 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2024 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

 Responsible Party Title Date

Covington News: Please run this block ad: July 7, 2024

CURRENT 2024 PROPERTY TAX DIGEST AND 5 YEAR HISTORY OF LEVY

The Mayor and Council of the City of Oxford do hereby announce that the millage rate will be set at a meeting to be held at the Oxford City Hall on August 5, 2024 at 7:00 PM. Pursuant to the requirements of O.C.G.A., 48-5-32, the Mayor and Council do hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

CITY OF OXFORD	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Real & Personal	22,155,784	24,368,394	28,812,997	36,781,116	43,142,692	49,415,869
Motor Vehicles	729,820	593,120	500,270	458,960	447,030	377,300
Mobile Homes	480	480	480	480	480	480
Timber-100%				0	0	0
Heavy Duty Equipment			41,995	169,200	151,014	1,702
Gross Digest	22,886,084	24,961,994	29,355,742	37,409,756	43,741,216	49,795,351
Less M&O Exemptions	3,369,150	3,385,009	3,465,976	3,558,609	3,657,795	3,686,135
Net M&O Digest	19,516,934	21,576,985	25,889,766	33,851,147	40,083,421	46,109,216
Gross M&O Millage	22.860	23.611	20.945	20.419	19.815	18.934
Less Rollbacks	16.235	16.989	15.501	14.975	14.371	13.490
Net M&O Millage	6.622	6.622	5.444	5.444	5.444	5.444
Net Taxes Levied	\$129,241	\$142,883	\$140,944	\$184,286	\$218,214	\$251,019
Net Taxes \$ Increase	\$129,241	\$13,642	-\$1,939	\$43,342	\$33,928	\$32,805
Net Taxes % Increase	9.40%	10.56%	-1.36%	30.75%	18.41%	15.03%

Notice of Property Tax Increase

The City of Oxford has tentatively adopted a 2024 millage rate which will require an increase in property taxes by 15.46 percent. All concerned citizens are invited to the public hearings on this tax increase to be held at the Oxford City Hall, 110 W. Clark Street, Oxford, Georgia on July 15, 2024 at 9:00 AM.

Times and places of additional public hearings on this tax increase are at the Oxford City Hall, 110 W. Clark Street, Oxford, Georgia, on July 15, 2024 at 6:00 PM and August 5, 2024 at 6:00 PM. This tentative increase will result in a millage rate of 5.444 mills, an increase of .729 mills. Without this tentative tax increase, the millage rate will be no more than 4.715 mills. The proposed tax increase for a home with a fair market value of \$225,000 is approximately \$58.32 and the proposed tax increase for non-homestead property with a fair market value of \$175,000 is approximately \$51.03.

LOST Rollback Calculation

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Property Tax Digest	22,886,084	24,961,994	29,355,742	37,409,756	43,741,216	49,795,351
General Fund (M&O) Millage Rate	0.006622	0.006622	0.006622	0.005444	0.005444	0.005444
LOST Collections	371,572.35	424,102.42	455,049.39	560,193.75	628,602.73	671,737.90
Rollback Rate	0.006015	0.005964	0.005444	0.00419	0.004581	0.004715
Rollback Calculation Amount	0.0162357	0.0169899	0.0155012	0.0149745	0.0143709	0.01349
	16.2357	16.9899	15.5012	14.9745	14.3709	13.4900

Property Tax Calculation for 2024

\$175,000 Fair Market Value (FMV)

Non-Homestead Exemption

	FMV Property	Property Tax Rate	Value of Taxable Property	Millage Rate	Total
Rollback	\$175,000	40%	\$70,000	0.004715	\$330.05
Current	\$175,000	40%	\$70,000	0.005444	\$381.08

Difference **\$51.03** 15.46%

With Homestead Exemption

	FMV Property	Property Tax Rate	Value of Taxable Property	Homestead Exemption	New Total	Millage Rate	Total
Rollback	\$175,000	40%	\$70,000	-\$10,000	\$60,000	0.004715	\$282.90
Current	\$175,000	40%	\$70,000	-\$10,000	\$60,000	0.005444	\$326.64

Difference **\$43.74** 15.46%

\$175,000 FMV Property	\$51.03
\$175,000 FMV Property w/ HE	\$43.74
Difference	\$7.29

DOR Example (2020)

	FMV Property	Property Tax Rate	Value of Taxable Property	Home Exemp	New Total	Millage Rate	Total
Rollback	\$100,000	40%	\$40,000	-\$2,000	\$38,000	0.007820	\$297.16
Current	\$100,000	40%	\$40,000	-\$2,000	\$38,000	0.009580	\$364.04

Difference **\$66.88** 22.51%

\$225,000 Fair Market Value (FMV)

Non-Homestead Exemption

	FMV Property	Property Tax Rate	Value of Taxable Property	Millage Rate	Total
Rollback	\$225,000	40%	\$90,000	0.004715	\$424.35
Current	\$225,000	40%	\$90,000	0.005444	\$489.96

Difference **\$65.61** 15.46%

With Homestead Exemption

	FMV Property	Property Tax Rate	Value of Taxable Property	Homestead Exemption	New Total	Millage Rate	Total
Rollback	\$225,000	40%	\$90,000	-\$10,000	\$80,000	0.004715	\$377.20
Current	\$225,000	40%	\$90,000	-\$10,000	\$80,000	0.005444	\$435.52

Difference **\$58.32** 15.46%

\$225,000 FMV Property	\$65.61
\$225,000 FMV Property w/ HE	\$58.32
Difference	\$7.29

DOR Example (2020)

	FMV Property	Property Tax Rate	Value of Taxable Property	Millage Rate	Total
Rollback	\$300,000	40%	\$120,000	0.007820	\$938.40
Current	\$300,000	40%	\$120,000	0.009580	\$1,149.60

Difference **\$211.20**

Date	Action
2-Jul	Advertise for July 15th and August 5th Public Hearings
	Advertise 5 Year History on July 7 (Cov. News)
	Issue Press Release (Cov. News)
15-Jul	1st Public Hearing - 9 AM
	2nd Public Hearing - 6 PM
5-Aug	Final Public Hearing - 6 PM
	Adopt Millage Rate - 7 PM Meeting



TO: Solar Participants

FROM: Steve Jackson *Steve*

DATE: July 9, 2024

SUBJECT: Pineview Solar Project Update

The current owner and developer of Pineview Solar LLC, hep Peak Clean Energy (Peak), is unable to perform and complete the project. They have been unable to obtain the financing needed to move forward. In light of these facts, Peak has solicited and selected a purchaser, Linea Energy, that could become the owner and serve as the developer, constructor, and operator for the project. Unfortunately, given current market conditions, the proposed purchaser cannot complete the project based on the current contract price and schedule. The potential new owner is requesting another amendment to the Power Purchase Agreement between MEAG Power and Pineview Solar LLC (SPPA) which would require a corresponding amendment to the Power Purchase Contract (SPPC) between MEAG Power and each of the Solar Participants.

This leads to a decision point on the project for the Solar Participants with two options available:

1. Accept another amendment to the SPPA and allow the new owner/developer to move forward with the project
2. Allow the project to go into default and accept the \$3 million in security currently held by MEAG Power as damages.

Amendment No. 3 addresses not only change to the contract price and schedule, as mentioned above, but staff also negotiated increases in the security and delay damages provisions along with language that allows for an Exiting Solar Participant. These key changes to the agreement between MEAG Power and Pineview are summarized below.

- 1) Base Contract Price in the SPPA will be increased to \$41.50 per MWh fixed. This Base Contract Price is subject to adjustment up or down based on the final cost of the photovoltaic panels per the purchase contract subject to a cap of \$45.50 per MWh.
- 2) The Guaranteed Commercial Operation Date (COD) will be extended to January 31, 2026.
- 3) The new Outside COD is 180 days following January 31, 2026, at which time MEAG Power can terminate the project and collect a Termination Payment if the project is not commercial.
- 4) \$3 million in additional Security will be posted in favor of MEAG Power should the project not be commercial as of the new Guaranteed COD, providing a total of \$6 million in security available for delay damages or termination.
- 5) Delay Damages have been increased to \$8000 per day from \$4000 per day. Thus, for every day past January 31, 2026 these damages will be due until the project reaches COD or the Outside COD occurs.
- 6) Provides for a current Solar Participant to decline the new amendment (an Exiting Solar Participant) and maintain their rights to the current \$3 million in security for any potential

Solar Participants

July 9, 2024

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claims. This will allow for the project to move forward if other Solar Participants choose to increase their entitlement share while protecting the Exiting Solar Participants.

The impacts on cost and schedule reflected in this amendment are being seen across the country for solar projects. Although considering another amendment to this agreement could be questioned, staff has surveyed the market and the amended price remains competitive and the commercial operation date would be at least a year earlier than current market offers. The potential purchaser, Linea Energy, indicates it has obtained the financial backing needed to move forward with the project including a \$300 million equity commitment and \$100 million revolving corporate loan. They are prepared to purchase the panels for the project as soon as an amendment is approved. In addition, Walmart has been contacted and has agreed to accept the new pricing under their renewable energy customer agreements (RECA's) with the fourteen (14) Solar Participants.

Considering the factors noted above along with the increased financial security provided through Amendment No. 3, staff recommends moving forward with the new owner/developer in an effort to complete the Pineview facility. This approach provides continuity with the Walmart efforts and as noted would provide the Solar Participants these resources earlier than a process under the upcoming request for proposal.

MEAG Power will be arranging a virtual meeting to discuss this amendment in more detail and to address any questions or comments. Following this conversation, the Regional Managers will contact each of you to address any additional questions and to receive your feedback on the two options. If the interest level is great enough that commitments to the full 80 MWs can be maintained, then MEAG Power will move forward with preparation of the Amendment to the SPPCs including any reallocation of the output.

Please contact your Regional Manager or me at 770-563-0314 with any questions.

cc: Jim Fuller

City of Oxford
Request for Qualifications
Engineering Services for the City of Oxford
Multi-Use Trail Design



General

The City of Oxford is issuing a Request for Qualifications (RFQ) to engineering firms experienced in the development of engineering plans and bid documents for state-funded recreational trail projects for nonmotorized use. The project will seek to design three separate trails consisting of a combination of 12-foot-wide concrete/boardwalk and sharrow segments. These trail segments run along East Bonnell Street to Dry Indian Creek; West Bonnell Street to Cousins Middle School; Fletcher St. to Hull Street (see maps at end of document).

Responding firms should be technically qualified, licensed to provide these services, and experienced in the preparation of plans for state or federally funded recreational trails projects.

Background

The City of Oxford has received funding from the Governor's Office of Planning and Budget to assist with funding for the project. The project will involve the design of three separate segments of a multi-use trail. The project seeks to further a connected trail system within the city. The project would design three (3) trails: 1 - E. Bonnell St. to Keegan Ct. (1,100 LF), 2 - W. Bonnell to Cousins Middle School (1,750 LF) and 3 - Old Church Trail (Fletcher St.) to Hull Street (1,300 LF).

Administration

The RFQ is issued by the City of Oxford with technical assistance provided by the Northeast Georgia Regional Commission (NEGRC).

Evaluation

Procedures for the selection of an individual or firm will be in accordance with local government requirements and the Common Rule Selection Process. All Statements of Qualifications will be evaluated in terms of project approach, timing, experience, quality of work, capacity to perform, and costs. Prior experience in similar projects and qualifications of principal staff should be included. Past performances on similar projects, infrastructure, and design also will be reviewed for project timeliness. Other factors that may be under consideration are ability to complete work within budget, quality of work, and other factors, such as knowledge of the community and local area. Local government experiences and qualifications desired include, but are not limited to, preparation of engineering plans for new construction, infrastructure, federally funded projects, and estimations of plan implementation costs.

Information Required

The statement of qualifications shall contain the following:

- A. History of firm and resources
- B. Experience with state- or federally-funded projects
- C. Key personnel/qualifications
- D. Current workload
- E. Scope and level of service proposed
- F. References of similar projects
- G. Errors and Omissions Insurance

Selection Process

The procedure being followed is a request for qualifications followed by a review, ranking, and selection by the City of Oxford. An invitation to conduct the project will be issued to the selected firm and all RFQ respondents will be notified of selection or non-selection at the appropriate time.

Schedule

May 15, 2024 Request for Qualifications Published
June 5, 2024 Question received by 5:00 pm (deadline)
June 18, 2024 Qualifications received by 5:00 pm (deadline)
June 21, 2024 Vendor List prepared
June 21 – August 5, 2024 Vendors reviewed and selected by City of Oxford

This schedule is approximate. All items except the receipt date for qualifications statements will be subject to change at the discretion of the City Council of the City of Oxford.

Procedures for Submission of Statement of Qualifications

All submissions must be received by the City of Oxford no later than 5:00 pm E.S.T., June 18, 2024. Late submissions will be returned unopened. Facsimile and emailed submittals will not be accepted.

Statements of qualifications (4 hard copies) should be sent directly to:

Bill Andrew, City Manager
City of Oxford
110 West Clark St.
Oxford, GA 30054
770.786.7004
bandrew@oxfordgeorgia.org

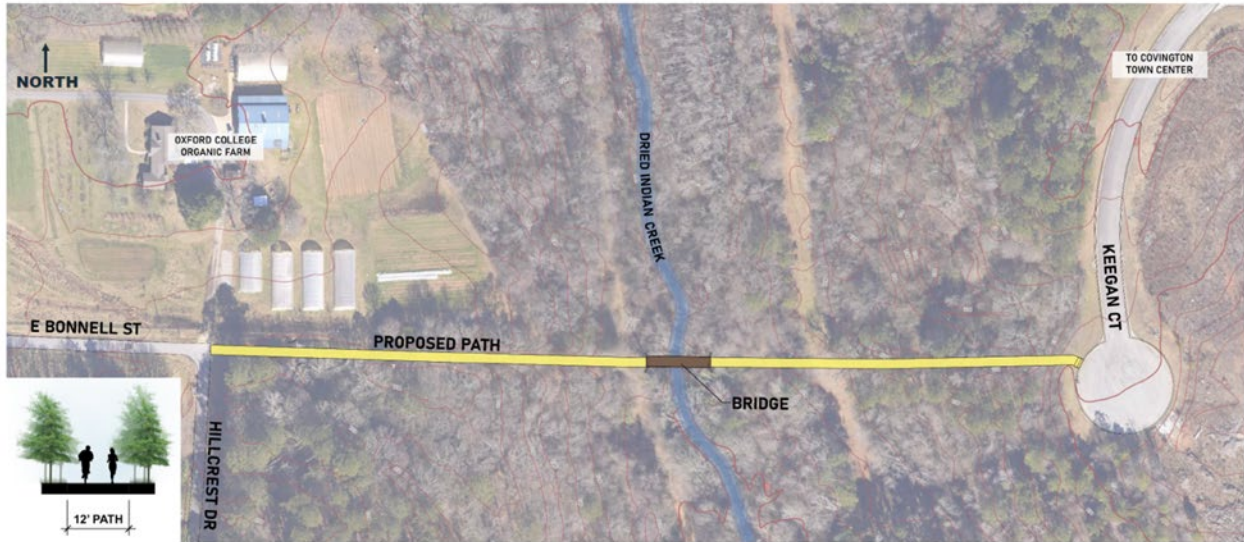
The statement of qualifications must be accompanied by a cover letter stating the name and role of the primary consultant and any sub-consultants. It should be signed by officers of the prime and subcontractors, if applicable, with the authority to submit a statement of qualifications from their respective firms.

General questions regarding this RFQ can be emailed to: asmith@negrc.org no later than 5:00 E.S.T., June 5, 2024. Questions and answers will also be published on: <https://www.oxfordgeorgia.org> .

Miscellaneous Provisions

- A. All contracts are subject to federal and state contract provisions prescribed by the Governor's Office of Planning and Budget.
- B. This Project may be subject to all or some of the following regulations and requirements: 2 CFR 200, Davis Bacon Act, and/or requirements under the U.S. Treasury for compliance and reporting.
- C. City of Oxford also abides by the following laws: Title VI of the Civil Rights Act of 1964; Section 109 of the Housing and Community Development Act of 1974, Title 1; Title VII of the Civil Rights Act of 1968 (Fair Housing Act); Section 104(b)(2) of the Housing and Community Development Act of 1974; Section 504 of the Rehabilitation Act of 1973 as amended; Title II of the Americans with Disabilities Act of 1990 (ADA); and the Architectural Barriers Act of 1968.
- D. Neither the NEGRC nor the participating government shall be responsible for any costs incurred in the preparation of the statement of qualifications or other related activities.
- E. All questions shall be submitted in writing (e-mail is acceptable). All questions and responses will be shared with all requesting firms responding to this RFQ before the stated deadline.
- F. All materials submitted in connection with this RFQ will be public documents and subject to the Open Records act and all other laws of the state of Georgia and the United States of America, and subject to the open records policies of the City of Oxford and the Northeast Georgia Regional Commission. All such materials shall remain the property of the City of Oxford and will not be returned to the respondent.
- G. All respondents to this RFQ shall hold harmless the Northeast Georgia Regional Commission, the participating governments, and any of their officers and employees from all suits and claims alleged to be a result of this RFQ. The issuance of this RFQ constitutes only an invitation to present qualifications. The City of Oxford reserves the right to determine, at its sole discretion, whether any aspect of a respondent's submittal meets the criteria in this RFQ. The City of Oxford also reserves the right to seek clarifications, to negotiate with any vendor submitting a response, to reject any or all responses with or without cause, and to modify the procurement process and schedule. In the event that this RFQ is withdrawn, or the project canceled for any reason, the Northeast Georgia Regional Commission and participating governments shall have no liability to any respondent for any costs or expenses in connection with this RFQ or otherwise.

1. E BONNELL ST TO KEEGAN CT



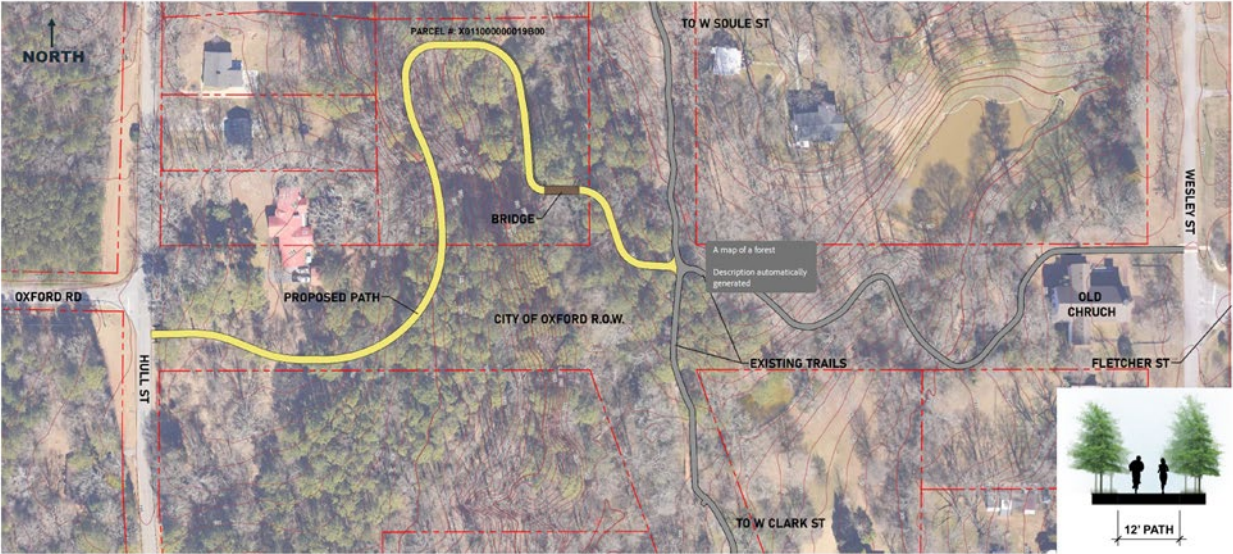
+ SHARROWS ALONG E BONNELL ST TO EMORY ST/HWY 81

2. W BONNELL ST TO COUSINS MIDDLE SCHOOL



+ SHARROWS ALONG W BONNELL ST TO EMORY ST & ALONG QUEEN ANN ST TO STONE STREET TRAILHEAD

3. OLD CHURCH CONNECTION TO HULL ST



AtkinsRealis: 89, 100, 93, 100 = 382

CPL: 86, 100, 90, 90 = 366

Falcon: 72, 94, 85, 90 = 341

W&A: 88, 100, 82, 65 = 335

Carter & Sloope: 58, 96, 95, 75 = 324

Thomas & Hutton: 80, 99, 85, 60 = 324

**STATE OF GEORGIA
COUNTY OF NEWTON**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OXFORD TO AMEND
THE CHARTER OF THE CITY OF OXFORD; PART I: ARTICLE I: SECTION 4:
EXAMPLES OF POWERS; ARTICLE III: SECTION 1: ORGANIZATION AND
GENERAL PROVISION: (A) CITY MANAGER (3) CITY MANAGER POWERS AND
DUTIES ENUMERATED (b); ARTICLE III: SECTION 2 ADMINISTRATIVE
OFFICERS: (B) CITY CLERK, (C) CITY TREASURER AND (D) CHIEF OF POLICE;
TO REPEAL ALL CONFLICTING ORDINANCES; TO PROVIDE FOR
SEVERABILITY, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Oxford, Georgia, hereinafter referred to as the (“City”) pursuant to O.C.G.A. Sec. 36-35-3 known as the “Home Rule for Municipalities”, is authorized under paragraph (b) of the rule to amend its Charter by ordinance, for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

WHEREAS, the Mayor and Council of the City of Oxford deem it in the best interest of the government, the residents of Oxford and the public to amend its Charter by ordinance, all as more specifically set out in the City of Oxford, Code of Ordinances; and

WHEREAS, O.C.G.A. Sec. 36-35-3 mandates that a notice containing a synopsis of the proposed amendment shall be published in the official organ of the county of the legal situs of the municipal corporation once a week for three weeks within a period of 60 days immediately preceding its final adoption; and

WHEREAS, said notice having been published on July 13, July 20 and July 27, 2024, in the Covington News, and a copy of the proposed amendment is on file in the office of the City clerk or the recording officer of the municipal governing authority and in the office of the clerk of the superior court of the county of the legal situs of the municipal corporation for the purpose of examination and inspection by the public; and

WHEREAS, the City desires to amend its Charter Part I; Article I: Incorporation of Powers: Section 4: Examples of Powers; Article III: Section 1: Organization and General Provision: (A) City Manager (3) City Manager Powers and Duties Enumerated (b); Article III: Section 2: Administrative Officers: “B” City Clerk, “C” City Treasurer, and “D” Chief of Police, as follows:

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Oxford that Charter Part I; Article I: Incorporation of Powers: Section 4: Examples of Powers; Article III: Section 1: Organization and General Provision: (A) City Manager (3) City Manager Powers and Duties Enumerated (b); Article III: Section 2: Administrative Officers: “B” City Clerk, “C” City Treasurer, and “D” Chief of Police, be amended as follows:

(Additions are in **underlined bold italics**; deletions are ~~struck through~~)

Section 1.

PART I MUNICIPAL CHARTER¹

ARTICLE I. INCORPORATION AND POWERS

[Sec.] 1. Name.

This City and the inhabitants thereof are constituted and declared a body politic and corporate under the name and style Oxford, state, and by that name shall have perpetual succession.

[Sec.] 2. Corporate boundaries as stated in Charter of 1914.

- A. *Original boundaries.* The northern boundary of the City of Oxford shall be a line beginning at a rock at northwest corner of land lot number two hundred ninety-one (291), situated and being in the ninth district of original Henry, but not Newton County, and running along the northern boundary of the land lot and continuing in a straight line east until it intersects Dried Indian Creek. The western boundary of the City of Oxford shall be a line beginning at the rock already mentioned (as northwest corner of land lot number two hundred ninety-one (291) and land lots number two hundred ninety-one (291) and 200 running in a southerly direction along the west boundary of eighty-eight (88), and continuing in same straight line until it reaches southern boundary hereinafter described. The eastern boundary of the City of Oxford shall be a line beginning where the northern boundary of the City, before described, intersects Dried Indian Creek, and running thence down the channel of the Dried Indian Creek to a ford in the creek situated in southwest corner of property now owned by No. F. Donnell, from which point the boundary line shall run south, following a line between property of L. L. Johnson and W. P. Odium, until it reaches southern boundary hereinafter described. The southern boundary of the City of Oxford shall be an east and west line which shall be a continuation of the southern boundary of the land subdivided into lots by Kidded and Marshall, being southern boundary of lots 15, 16, 17, and 18 in block E and lot (48) in block G in the Kidded and Marshall's plat; also southern boundary of parcel of land sold by J. Z. Johnson and J. E. Black stock to Harper. The

¹Editor's note(s)—Printed herein is 2011 Ga. Laws, Act No. 28, the most recent municipal charter of the City of Oxford, Georgia, which took effect on April 20, 2011. The sequence of sections in this chapter is the same as in the act comprising it. Amendments to the charter are indicated by history notes following amended provisions. The absence of a subsequent history note indicates that the provision remains unchanged from the original act. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. The title, enactment, severability, repealer, transitional, ratification, publication and effective date provisions have been omitted, and where a section has been amended or repealed by a later provision, only the current language has been printed. Additions made for clarity are indicated by brackets.

State law reference(s)—Creation, dissolution, merger, boundary changes, and deannexation of municipalities, O.C.G.A. § 36-35-2; municipal annexations, O.C.G.A. § 36-36-1 et seq.; home rule for municipalities, O.C.G.A. § 36-35-3; limitations on home rule for municipalities, O.C.G.A. § 36-35-6; requirement for filing and publication of Charter, O.C.G.A. § 36-35-5; incorporation of municipal corporations, O.C.G.A. § 36-31-1 et seq.

southern boundary shall extend in straight line east until it intersects eastern boundary line of the City of Oxford hereinbefore described, and west until it intersects western boundary line of the City of Oxford hereinbefore described.

- B. *Present and future boundaries.* The boundaries of the City of Oxford shall be those existing on the earliest effective date of the adoption of this Charter with such alterations as may be made from time to time in the manner provided by local law or general State law.

The boundaries of the City of Oxford at all times shall be shown on a map, a written description, or any combination thereof, to be retained permanently in the office of the City Clerk of the City and to be designated, as the "Official Comprehensive Zoning Map." Photographic, typed, or other copies of such map or description certified by the City Clerk shall be admitted as evidence in all courts and shall have the same force and effect as with the original map or description.

Mayor and Council may provide for the redrawing of any such map by resolution to reflect lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes the entire map or maps which it is designated to replace.

[Sec.] 3. Municipal powers and construction.

- A. This City shall have all powers possible for a city to have under the present or future Constitution and laws of this State as fully and completely as though they were specifically enumerated in this Charter. This City shall have all the powers of self-government not otherwise prohibited by this Charter or by general law.
- B. The powers of this City shall be construed liberally in favor of the City. The specific mention or failure to mention a particular power shall not be construed as limiting in any way the powers of this City.

[Sec.] 4. Examples of powers.

The powers of this City shall include, but not be limited to, the following:

- A. *Air and water pollution.* To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the City.
- ~~B. *Alcoholic beverages.* Liquors not to be kept for sale. The keeping for sale, selling or offering for sale, of any spirituous, vinous, malt, or fermented wines or liquors within the corporate limits of the City be, and the same is, hereby prohibited forever. And the Mayor and Council of Oxford shall have no power or authority to license the sale thereof, and it shall be their duty to enforce this prohibition by the enactment of necessary ordinances with suitable penalties for violation.~~
- B. *Animal regulations.* To regulate and license or to prohibit the keeping or running at large of animals and fowl and to provide for the impoundment of same if in violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl when not redeemed as provided by ordinance; and to provide punishment for violation of ordinances enacted under this Charter;
- C. *Appropriations and expenditures.* To make appropriations for the support of the government of the City; to authorize the expenditure of money for any purposes authorized by this Charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the City;
- D. *Building regulation.* To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air conditioning codes; and to regulate all building, housing trades;

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- E. *Business regulation and taxation.* To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate the same; to provide for the manner and method of payment of such licenses and taxes; and to revoke such licenses after due process for failure to pay any city fees or taxes;
 - F. *Cemeteries.* The Mayor and Council shall have jurisdiction over all cemeteries belonging to, or located in the City, or may provide by ordinance for a public cemetery. They may appoint such employees to superintend the care thereof as they deem proper. They may enact ordinances to prevent trespass therein and to prevent any person from defacing any work therein. They may regulate the charges for grave digging, hearse fees and any and everything pertaining to the care and operation of such cemeteries.
 - G. *Condemnation.* To condemn property, inside or outside the corporate limits of the City, for present or future use and for any corporate purpose deemed necessary by the governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
 - H. *Contracts.* To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations;
 - I. *Emergencies.* To establish procedures for determining and proclaiming that an emergency situation exists within or outside the City and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the City;
 - J. *Environmental protection.* To protect and preserve the natural resources, environment and vital areas of the City through the preservation and improvement of air quality, the restoration and maintenance of water resources, the control of erosion and sedimentation, the management of solid and hazardous waste, and other necessary actions for the protection of the environment;
 - K. *Fire regulations.* To fix and establish fire limits and from time to time to extend, enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting; and to prescribe penalties and punishment for violations thereof;
 - L. *Garbage fees.* To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the City from all individuals, firms, and corporations residing in the City or doing business therein and benefitting from such services; to enforce the payment of such charges, taxes, or fees; and to provide for the manner and method of collecting such service charges;
 - M. *General health, safety, and welfare.* To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the City, and to provide for the enforcement of such standards;
 - N. *Gifts.* To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to the powers and duties of the City and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;
 - O. *Health and sanitation.* To prescribe standards of health and sanitation and to provide for the enforcement of such standards;
 - P. *Jail sentences.* To provide that persons given jail sentences in the Municipal Court may work out such sentences in any public works or on the streets, roads, drains, and squares in the City; to provide for commitment of such persons to any jail; or to provide for commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;

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- Q. *Motor vehicles.* To regulate the operation of motor vehicles and exercise control over all traffic, including parking upon or across the streets, roads, alleys, and walkways of the City;
 - R. *Municipal agencies and delegation of power.* To create, alter, or abolish departments, boards, offices, commissions, and agencies of the City; and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to the same;
 - S. *Municipal debts.* To appropriate and borrow money for the payment of debts of the City and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized by this Charter or the laws of the State of Georgia;
 - T. *Municipal property ownership.* To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the City;
 - U. *Municipal property protection.* To provide for the preservation and protection of property and equipment of the City and the administration and use of same by the public; and to prescribe penalties and punishment for violations thereof;
 - V. *Municipal utilities.* To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including but not limited to a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties; to provide for the withdrawal of service for refusal or failure to pay the same; to authorize the extension of water, sewerage, and electrical distribution systems, and all necessary appurtenances by which the utilities are distributed, inside and outside the corporate limits of the City; and to provide utility services to persons, firms, and corporations inside and outside the corporate limits of the City as provided by ordinance;
 - W. *Nuisance.* To define a nuisance and provide for its abatement whether on public or private property;
 - X. *Penalties.* To provide penalties for violation of any ordinances adopted pursuant to the authority of this Charter and the laws of the State of Georgia;
 - Y. *Planning and zoning.* To provide comprehensive city planning for development by zoning; and to provide subdivision regulation and the like as Mayor and Council deems necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
 - Z. *Police and fire protection.* To exercise the power of arrest through duly appointed police officers; and to establish, operate, or contract for a police and a fire-fighting agency;
 - AA. *Public hazards; removal.* To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;
 - BB. *Public improvements.* To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; to provide any other public improvements, inside or outside the corporate limits of the City; to regulate the use of public improvements; and, for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A. or such other applicable laws as are or may hereafter be enacted;
 - CC. *Public peace.* To provide for the prevention and punishment of intoxication, riots, and public disturbances;
 - DD. *Public transportation.* To organize and operate such public transportation systems as are deemed beneficial;

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- EE. *Public utilities and services.* To grant franchises or make contracts for public utilities and public services and to prescribe the rates, fares, regulations, standards, and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public Service Commission;
- FF. *Regulation of roadside areas.* To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the City; and to prescribe penalties and punishment for violation of such ordinances;
- GG. *Retirement.* To provide and maintain a retirement plan for officers and employees of the City;
- HH. *Roadways.* To lay out, open, extend, widen, narrow, establish or change the grade of, abandon or close, construct, pave, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the City; to negotiate and execute leases over, through, under, or across any city property or the right-of-way of any street, road, alley, and walkway or portion thereof within the corporate limits of the City, for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and for other bridges, overpasses, and underpasses for private use at such location, and to charge a rental therefor in such manner as may be provided by ordinance; to authorize and control the construction of bridges, overpasses, and underpasses within the corporate limits of the City; to grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts for the use of public utilities and for private use; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands, and to impose penalties for failure to do so;
- II. *Sewer fees.* To levy a fee, charge, or sewer tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending of a sewage disposal plant and sewerage system and to levy on those to whom sewers and sewerage systems are made available a sewer service fee, charge, or sewer tax for the availability or use of the sewers; to provide for the manner and method of collecting such service charges and for enforcing payment of the same; and to charge, impose, and collect a sewer connection fee or fees to those connected with the system;
- JJ. *Solid waste disposal.* To provide for the collection and disposal of garbage, rubbish, and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by others and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials;
- KK. *Special areas of public regulation.* To regulate or prohibit junk dealers, pawn shops, the manufacture, sale, or transportation of intoxicating liquors and drugs, and the use of firearms; to regulate the transportation, storage, and use of combustible, explosive, and flammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property; to regulate and control the conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit professional fortune telling, palmistry, adult bookstores, and massage parlors;
- LL. *Special assessments.* To levy and provide for the collection of special assessments to cover the costs for any public improvements;
- MM. *Taxes: ad valorem.* To levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;
- NN. *Taxes: other.* To levy and collect such other taxes as may be allowed now or in the future by law;
- OO. *Trees.* The Mayor and Council of Oxford shall have full power and authority to adopt and enforce ordinances for the protection and preservation of trees on the streets, public places, cemeteries and parks in the City and to prevent the cutting, impairing or mutilations thereof by telephone, telegraph,

electric light linemen or employees, or any other person unless the same is done under and with the express and formal consent of the Mayor and Council or some officer appointed by them to direct the same, and then only when absolutely necessary for the public service or safety.

- PP. *Urban redevelopment.* To organize and operate an urban redevelopment program;
- QQ. *Vehicles for Hire.* To regulate and license vehicles operated for hire in the City; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate the parking of such vehicles;
- RR. *Other powers.* To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the City and its inhabitants; to exercise all implied powers necessary to carry into execution all powers granted in this Charter as fully and completely as if such powers were fully stated herein; to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia; and no listing of particular powers in this Charter shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

[Sec.] 5. Exercise of powers.

All powers, functions, rights, privileges, and immunities of the City, its officers, agencies, or employees shall be carried into execution as provided by this Charter. If this Charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II. GOVERNMENT STRUCTURE

[Sec.] 1. City Council creation; number; election.

The legislative authority of the government of this City, except as otherwise specifically provided in this Charter, shall be vested in a City Council to be composed of a Mayor and six councilmembers. The Mayor and councilmembers shall be elected in the manner provided by this Charter.

[Sec.] 2. City Council terms and qualifications for office.

The members of the City Council shall serve for terms of four years and until their respective successors are elected and sworn in. No person shall be eligible to serve as Mayor or councilmember unless he shall have been a resident of the City for 12 months prior to the date of qualification for the election of Mayor or councilmember (as the case may be). Each such official shall continue to reside in the City during his period of service and continue to be registered and qualified to vote in municipal elections of this City.

[Sec.] 3. Vacancy; suspensions; filling of vacancies.

Vacancies. The office of Mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this Charter or the general laws of the State of Georgia. A vacancy in the office of Mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by the Mayor and Council.

[Sec.] 4. Failure to qualify.

A failure to take the oath of office within 15 days after the first day of January, unless for providential cause, shall operate to vacate the office of the Mayor or councilmember.

- A. *Suspension.* Upon the suspension from office of Mayor or councilmember in any manner authorized by the general laws of the State of Georgia, Mayor and Council, or those remaining, shall appoint a successor for the duration of the suspension. If the suspension becomes permanent, then the office shall become vacant and shall be filled for the remainder of the unexpired term, if any, as provided for in this Charter.
- B. *Filling Vacancy.* In the event of a vacancy in the office of Mayor or councilmember prior to the expiration of a regular term of office, the remaining councilmembers and Mayor, if any, shall fill the vacant office for the unexpired term, provided that the person or persons selected shall meet the requirements of article II, [section] 2 of this Charter.

[Sec.] 5. Compensation and expenses.

The Mayor and councilmembers shall receive compensation and expenses for their services as provided by resolution.

[Sec.] 6. Conflicts of interest; holding other offices.

- A. *Officers as Trustees.* Elected and appointed officers of the City are trustees and servants of the residents of the City and shall act in a fiduciary capacity for the benefit of such residents.
- B. *Conflict of Interest.* No elected official, appointed officer, or employee of the City or any agency or political entity to which this Charter applies shall knowingly:
 - (1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which would tend to impair the independence of his judgment or action in the performance of his official duties;
 - (2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair the independence of his judgment or action in the performance of his official duties;
 - (3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he is engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or others;
 - (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which he is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;
 - (5) Represent other private interests in any action or proceeding against this City or any portion of its government; and
 - (6) Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which he has a financial interest.
- C. *Disclosure.* Any elected official, appointed officer, or employee who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the City shall

disclose such private interest to the City Council. The Mayor or any councilmember who has a private interest in the matter pending before Mayor and Council shall disclose such private interest and such disclosure shall be entered on the records of the City Council, and he shall disqualify himself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this Charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such private interest to the governing body of such agency or entity.

- D. *Use of Public Property.* No elected official, appointed officer, or employee of the City or any agency or entity to which this Charter applies shall use property owned by such governmental entity for personal benefit, convenience, or profit except in accordance with policies promulgated by Mayor and Council or the governing body of such agency or entity.
- E. *Contracts Voidable and Rescindable.* Any violation of this article which occurs with the knowledge, express or implied, of a party to a contract or sale shall render the contract or sale voidable at the option of the Mayor and Council.
- F. *Ineligibility of Elected Official.* Except where authorized by law, neither the Mayor nor any Councilmember shall hold any other elective or appointed office in city government during the term for which he was elected.
- G. *Political Activities of Certain Officers and Employees.* No appointed officer and no employee of the City shall continue in such employment upon qualifying as a candidate for nomination or election to any public office.
- H. *Penalties for Violation.*
 - (1) Any city officer or employee who knowingly conceals such financial interest or knowingly violates any of the requirements of this article shall be guilty of malfeasance in office or position and shall be deemed to have forfeited his office or position.
 - (2) Any officer or employee of the City who shall forfeit his office or position as described in paragraph (1) of this subparagraph shall be ineligible for appointment or election to or employment in a position in the City government for a period of three years thereafter.

[Sec.] 7. Inquiries and investigations.

Mayor and Council may make inquiries and investigations into the affairs of the any and the conduct of any department, office, or agency thereof, and for this purpose may subpoena witnesses, administer oaths take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by Mayor and Council shall be punished as provided by ordinance.

[Sec.] 8. General power and authority of the Mayor and Council.

Except as otherwise provided by law or this Charter, the Mayor and Council shall be vested with all the powers of government of this City as provided by article I.

[Sec.] 9. Eminent domain.

Mayor and Council are empowered to acquire, construct, operate, and maintain public ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the use thereof, the City, and to regulate and for such purposes, property may be condemned under procedures established under general law applicable now or as provided in the future.

[Sec.] 10. Organizational meetings.

Mayor and Council shall hold an organizational meeting on the first Monday of each year, unless such date falls on a holiday, then on the second Monday. The meeting shall be called to order by a legal Officer of the Court, and the oath of office shall be administered to the Mayor and councilmembers as follows:

"I do solemnly (swear) (affirm) that I will faithfully perform the duties of (Mayor) (councilmember) of this City and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America."

[Sec.] 11. Regular and special meetings.

- A. Mayor and Council shall hold regular meetings at such times and places as prescribed by ordinance.
- B. Special meetings of Mayor and Council may be held on call of the Mayor or four members of the City Council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least forty-eight (48) hours in advance of the meeting. Such notice to councilmembers shall not be required if the Mayor and all councilmembers are present when the special meeting is called. Such notice of any special meeting may be waived by a councilmember in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in such councilmember's presence. Only the business stated in the call may be transacted at the special meeting.
- C. All meetings of Mayor and Council shall be public to the extent required by law, and notice to the public of special meetings shall be made as fully as is reasonably possible prior to such meetings.

[Sec.] 12. Rules of procedure.

- A. Mayor and Council shall adopt rules of procedure and order of business consistent with the provisions of this Charter and shall provide for keeping a journal of proceedings, which shall be a public record.
- B. All committees, boards and commissions of citizens shall be appointed by the Mayor and Council and shall serve at their pleasure. The Mayor and Council shall have the power to appoint new members to any committee at any time; each committee may appoint its own chairperson, if the chairperson has not been especially appointed by Mayor and Council.

[Sec.] 13. Quorum; voting.

Five councilmembers (one of whom may be the Mayor) shall constitute a quorum and shall be authorized to transact business of the City Council. Voting on the adoption of ordinances shall be by voice vote or raising of right hand and the vote shall be recorded in the journal, but any member of the City Council shall have the right to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided in this Charter, the affirmative vote of four shall be required for the adoption of any ordinance, resolution, or motion.

[Sec.] 14. Ordinance form; procedure.

- A. Every proposed ordinance should be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The Council of the City of Oxford hereby ordains" and every ordinance shall so begin.
- B. An ordinance may be introduced by any councilmember and be read at a regular or special meeting of the City Council. Ordinances shall be considered and adopted or rejected by Mayor and Council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it

is introduced, except for emergency ordinances provided in article II, [section] 16 of this Charter. Upon introduction of any ordinance, the Clerk shall as soon as possible distribute a copy to the Mayor and to each councilmember and shall file a reasonable number of copies in the office of the Clerk and at such other public places as Mayor and Council may designate.

[Sec.] 15. Action requiring an ordinance.

Acts of Mayor and Council which have the force and effect of law shall be enacted by ordinance or resolution.

[Sec.] 16. Emergencies.

To meet a public emergency affecting life, health, property, or public peace, Mayor and Council may convene on call of the Mayor or four councilmembers and may promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing such emergency in clear and specific terms. An emergency ordinance may be adopted, with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of at least three councilmembers shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this article if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this article for adoption of emergency ordinances.

[Sec.] 17. Code of technical regulations.

- A. Mayor and Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally except that:
 - (1) The requirements of subparagraph B of article II, [section] 14 of this Charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and
 - (2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the Clerk pursuant to article II, [section] 18 of this Charter.
- B. Copies of any adopted code of technical regulations shall be made available by the Clerk for distribution or for purchase at a reasonable price.

[Sec.] 18. Signing; authenticating; recording; codification; printing.

- A. The Clerk shall authenticate by his signature and record in fall in a properly indexed book kept for that purpose all ordinances or resolutions adopted by the Council.
- B. Mayor and Council shall provide for the preparation of a general codification of all the ordinances of the City having the force and effect of law. The general codification shall be adopted by Mayor and Council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as Mayor and Council may specify. This compilation shall be known and cited officially as "The Code of the City of Oxford, state." Copies of the Code shall be

furnished to all officers, departments, and agencies of the City and shall be made available for purchase by the public at a reasonable price as fixed by the Mayor and Council.

- C. Mayor and Council shall cause each ordinance and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances and Charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the Mayor and Council. Following publication of the first code under this Charter and at all times thereafter, the ordinances and Charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable for incorporation therein. Mayor and Council shall make such farther arrangements as deemed desirable with the reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the Code.

[Sec.] 19. Election of Mayor; forfeiture; compensation.

The Mayor shall be elected and shall serve for a term of four years and until his successor is elected and qualified. The Mayor shall be a qualified elector of this City and shall have been a resident of the City for 12 months prior to his qualification for his election. The Mayor shall continue to reside in this City during the period of his service. He shall forfeit his office on the same grounds and under the same procedure as for councilmembers. The compensation of the Mayor shall be established in the same manner as for councilmembers.

[Sec.] 20. Chief executive officer.

The Mayor shall be the executive of this City. The Mayor shall possess all of the executive and administrative power granted to the City under the Constitution and laws of the State of Georgia and all the executive and administrative powers contained in this Charter.

[Sec.] 21. Powers and duties of Mayor.

As the chief executive of this City, the Mayor shall:

- A. Preside at all meetings of the City Council;
- B. Be the head of the City for the purpose of service of process and for ceremonial purposes, and be the official spokesperson for the City and the chief advocate of policy;
- C. Have the power to administer oaths and to take affidavits;
- D. Sign as a matter of course on behalf of the City all written and approved contracts, ordinances, and other instruments executed by the City which by law are required to be in writing, and are not otherwise delegated to the City Manager;
- E. Vote on matters before Mayor and Council and be counted toward a quorum as any other councilmember;
- F. Have prepared and submitted to the Council a recommended annual operating budget and recommended capital budget; and
- G. Assign councilmembers to their committees of responsibilities each year at the first scheduled Council meeting;
- H. Fulfill such other executive and administrative duties as Mayor and Council shall establish by ordinance.

[Sec.] 22. Mayor Pro Tem; selection; duties.

By a majority vote, Mayor and Council shall elect a councilmember to serve as Mayor pro tern. The Mayor pro tern shall preside at all meetings of the City Council and shall assume the duties and powers of the Mayor upon the Mayor's disability or absence. Mayor and Council by a majority vote shall elect a new presiding officer from among the councilmembers for any period in which the Mayor pro tern is disabled, absent, or acting as Mayor. Any such absence or disability shall be declared by majority vote of all councilmembers.

ARTICLE III. ADMINISTRATIVE AFFAIRS

[Sec.] 1. Organization and General Provision.

A. *City manager.*

- (1) *City manager; appointment and qualification.* The Mayor shall appoint, subject to confirmation by the Council, an officer whose title shall be the "City Manager". The City Manager shall be appointed without regard to political beliefs and solely on the basis of his education and experience in the accepted competencies and practices of local government management. The appointment is re-confirmed at the beginning of each fiscal year.
- (2) *City manager; chief administrative officer.* The City Manager shall be the chief administrative officer of the government of the City. The City Manager must devote all of his working time and attention to the affairs of the City and shall be responsible to the Mayor and Council for the proper and efficient administration of the affairs of the City over which the officer has jurisdiction.
- (3) *City manager; powers and duties enumerated.* The City Manager shall have the power, and it shall be his duty to:
 - (a) See that all laws and ordinances are enforced;
 - (b) Appoint and employ all necessary employees of the City, provided that the power of this appointment shall not include officers and employees who by this Charter are appointed or elected by the Mayor and the Council ~~or departments not under the jurisdiction of the City Manager;~~
 - (c) Remove those employees over whom he has the power to appoint and employ under (b) (immediately above) without the consent of the Council and without assigning any reason therefore;
 - (d) Exercise supervision and control of all departments and all divisions created in this Charter or that may hereafter be created by the Council except as otherwise provided in this Charter;
 - (e) Attend all meetings of the Council, without a right to vote, but with a right to take part in the discussions as seen fit by the chair; provided, however, that regardless of the decision of the meeting chair the City Manager may take part in any discussion and report on any matter requested and approved by the Council at such meeting. The City Manager shall be entitled to notice of all special meetings;
 - (f) Recommend to the Council, after prior review and comment by the Mayor, for adoption such measures as the City Manager may deem necessary or expedient;
 - (g) See that all terms and conditions imposed in favor of the City or its inhabitants in any public utility franchise are faithfully kept and performed and upon knowledge of any violation thereof

to call the same to the attention of the City Attorney, whose duty it shall be forthwith to take such steps as are necessary to protect and enforce the same;

- (h) Make and execute all lawful contracts on behalf of the City as to matters within the City Manager's level of authorization as established by the Council to the extent that such contracts are funded in the City's budget, except such as may be otherwise provided by law; provided, however, that no contract purchase or obligation requiring a budget amendment shall be valid and binding until after approval of the Council;
 - (i) Sign all orders, checks, and warrants for payment of money within the City Manager's level of authorization as established by the Council to the extent that such contracts are funded in the City's budget, except such as may be otherwise provided by law; provided, however, that no such order, check, or warrant requiring a budget amendment shall be valid and binding until after approval of the Council;
 - (j) Act as budget officer to prepare and submit to the Council, after review and comment by the Mayor, prior to the beginning of each fiscal year a budget of proposed expenditures for the ensuing year, showing in as much detail as practicable the amounts allotted to each department of the City government and the reasons for such estimated expenditures;
 - (k) Keep the Council at all times fully advised as to the financial condition and needs of the City;
 - (l) Make a full written report to the Council each month showing the operations and expenditures of each department of the City government for the preceding month, and a synopsis of such reports shall be published by the City Clerk;
 - (m) Fix all salaries and compensation of city employees in accordance with the City budget and the City pay and classification plan; and
 - (n) Perform such other duties as may be prescribed by this Charter or required by ordinance or resolution of the Council.
- (4) *City Manager; Council Interference With Administration.* Except for the purpose of inquiries and investigations, the Council or its members shall deal with city officers and employees who are subject to the direction or supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.
- (5) *City Manager; Removal.*
- (a) The Mayor and Council may remove the City Manager from office, with or without cause, in accordance with the following procedures;
 - (b) The Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution removing the City Manager and may suspend the City Manager from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered promptly to the City Manager;
 - (c) Within five days after a copy of the resolution is delivered to the City Manager, he may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The City Manager may file with the Council a written reply not later than five days before the hearing; and
 - (d) The Council may adopt a final resolution of removal, which may be made effective immediately by affirmative vote of four of its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the City Manager if he has not requested a public hearing, or at any time after the public hearing if he has requested one.

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- (e) The City Manager shall continue to receive his salary until the effective date of a final resolution of his removal. The action of the Council in suspending or removing the City Manager shall not be subject to review by any court or agency.
 - (f) If the City Manager is suspended in accordance with subsection (a) of this section or becomes disabled and is unable to carry out the duties of the office or if the City Manager dies, the acting City Manager shall perform the duties of the City Manager until the City Manager's disability is removed or until the City Manager is replaced. Removal of the City Manager because of disability shall be carried out in accordance with the provisions of subsection (a) of this section.
- (6) *City manager; acting City Manager.*
- (a) The Mayor with the approval of the Council may appoint himself / herself or any person to exercise all powers, duties, and functions of the City Manager during the City Manager's suspension, temporary absence from the City, or during the City Manager's disability.
 - (b) In the event of a vacancy in the office of City Manager, the Mayor may designate with the approval of the Council a person as acting City Manager, who shall exercise all powers, duties, and functions of the City Manager until a City Manager is appointed.

B. *Department heads.*

- (1) Except as otherwise provided in this Charter, Mayor and Council by resolution shall prescribe the functions or duties of and establish, abolish, or alter all nonelective offices, positions of employment, departments, and agencies of the City and establish professional qualifications as necessary for the proper administration of the affairs and government of the City.
- (2) Except as otherwise provided by this Charter or by law, all appointed officers of the City shall be appointed solely on the basis of their respective administrative and professional qualifications.
- (3) All appointed officers shall receive such compensation as prescribed by ordinance or resolution.
- (4) The Mayor may suspend or remove any and all appointed city officials, but such suspension or removal shall not be final for 21 calendar days following the Mayor giving written notice of such action and the reasons therefor to the appointed city official involved and to the City Council. The appointed city official involved may appeal within 21 days to the Council which, after a hearing, may override the Mayor's action by a vote of four Councilmembers.

C. *Boards, commissions.*

- (1) Mayor and Council shall create by ordinance or resolution such boards, commissions, and authorities to fulfill any functions Mayor and Council deem necessary and shall by ordinance or resolution establish the composition, period of existence, duties, and powers thereof.
- (2) All members of boards, commissions, and authorities of the City shall be appointed by Mayor and Council for such terms of office and in such manner as shall be provided by ordinance or resolution, except where other appointing authority, terms of office, or manner of appointment is prescribed by this Charter or by law.
- (3) Mayor and Council by ordinance or resolution may provide for the compensation and reimbursement for actual and necessary expenses of the members of any board, commission, or authority.
- (4) Except as otherwise provided by this Charter or by law, no member of any board, commission, or authority shall hold any elective office in the City.
- (5) Any vacancy on a board, commission, or authority of the City shall be filled for the unexpired term in the manner prescribed in this article for original appointment, except as otherwise provided by this Charter or by law.

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- (6) No member of a board, commission, or authority shall assume office until he has executed and filed with the Clerk of the City an oath obligating himself to faithfully and impartially perform the duties of his office, such oath to be prescribed by ordinance or resolution and administered by the Mayor.
 - (7) Any member of a board, commission, or authority may be removed from office for cause by a vote of four members of the City Council.
 - (8) Except as otherwise provided by this Charter or by law, each board, commission, or authority of the City may elect one of its members as chairperson and one member as vice chairperson and may elect as its secretary one of its own members or may appoint as secretary an employee of the City, provided that the Mayor and Council did not especially appoint a chairperson at the time of appointment. Each board shall pass rules and regulations, not inconsistent with this Charter, ordinances of the City, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such rules and regulations shall be filed with the Clerk of the City.

[Sec.] 2. Administrative officers.

- A. *City Attorney.* Mayor and Council shall appoint a City Attorney at the first scheduled meeting of the calendar year for a term of one year, together with such assistant City Attorneys as may be authorized, and shall provide for the payment of such attorney or attorneys for services rendered to the City. The City Attorney shall be responsible for representing and defending the City in all litigation in which the City is a party; may be solicitor in the Municipal Court; shall attend the meetings of the Council as directed; shall advise the City Council, Mayor, and other officers and employees of the City concerning legal aspects of the City's affairs; and shall perform such other duties as may be required of him by virtue of his position as City Attorney.
- B. *City Clerk.* Mayor and Council shall appoint a City Clerk at the first scheduled meeting of the calendar year for a term of one year, who shall not be a Councilmember. The City Clerk shall be custodian of the official city seal; maintain City Council records required by this Charter; and perform such other duties as may be required by the City Council, ***and as supervised by the City Manager.***
- C. *City Treasurer.* Mayor and Council may appoint a City Treasurer at the first scheduled meeting of the calendar year for a term of one year to collect all taxes, licenses, fees, and other moneys belonging to the City subject to the provisions of this Charter and the ordinances of the City and to enforce all laws of state relating to the collection of delinquent taxes and sale or foreclosure for nonpayment of taxes by the City. The City Treasurer shall also be responsible for the general duties of a treasurer and fiscal officer, ***and shall be supervised by the City Manager.***
- D. *Chief of Police.* Mayor and Council shall appoint a Chief of Police at the first scheduled meeting of the calendar year for a term of one year, to perform the duties as the administrative officer of the Police Department and have all the powers of an arresting officer within the City of Oxford; he shall further have all the powers usual and incident to such office; he shall have the power to serve all papers and summons/citations and execute all writs and executions directed by the municipality and the State of Georgia; he shall perform all duties prescribed by State law and by this Charter, and carry out such other duties as the Mayor and Council may lawfully direct. The ***Chief of Police municipality through Mayor and Council*** shall have the power to hire additional police officers to assist the Chief of Police in his duties and to act in his stead. ***The Chief of Police shall be supervised by the City Manager.***
- E. *Municipal Judge.* Mayor and Council shall appoint a Municipal Judge at the first scheduled meeting of the calendar year for a term of one year, whose duty it shall be to try all cases of violation of the City ordinances and perform such functions and acts as may be laid upon him by the provisions of this Charter, or shall be from time to time placed upon him by the ordinances or by-laws adopted by the Mayor and Council of the City of Oxford.

[Sec.] 3. Personnel administration.

- A. *Position classification and pay plans.* The City Clerk shall be responsible for the preparation of a position classification and pay plan which shall be submitted to [the] Mayor and Council for approval. Such plan may apply to all employees of the City and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, Mayor and Council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this article, all elected and appointed city officials are not city employees.
- B. *Personnel policies.* Mayor and Council shall adopt rules and regulations consistent with this Charter concerning:
- (1) The method of employee selection and probationary periods of employment;
 - (2) The administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan;
 - (3) Hours of work, vacation, sick leave, other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected;
 - (4) Such dismissal hearings as due process may require; and
 - (5) Such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.

ARTICLE IV. JUDICIAL BRANCH

[Sec.] 1. Municipal Court.

There shall be a court to be known as the Municipal Court of the City of Oxford.

[Sec.] 2. Judges.

- A. The Municipal Court shall be presided over by a Chief Judge and such part-time, full-time, or stand-by judges as shall be provided by ordinance. The method of selection and terms of such judges shall be provided by ordinance,
- B. No person shall be qualified or eligible to serve as a judge on the Municipal Court unless he shall have attained the age of 25 years and shall have a high school diploma or its equivalent. The Chief Judge shall be nominated and appointed by the Mayor and Council and shall serve at the pleasure of the Mayor and Council. All other judges shall be nominated by the chief judge and appointed by the Mayor and City Council.
- C. Compensation of the judges shall be fixed by ordinance.
- D. Judges may be removed for cause by a vote of four members of the City Council.
- E. Before assuming office, each judge shall take an oath, given by the Mayor, that he will honestly and faithfully discharge the duties of his office to the best of his ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of the City Council journal required in article II, [section] 12 of this Charter.

[Sec.] 3. Convening of court.

The Municipal Court shall be convened at regular intervals as provided by ordinance.

[Sec.] 4. Jurisdiction; powers.

- A. The Municipal Court shall try and punish violations of its Charter, all city ordinances, and such other violations as provided by law.
- B. The Municipal Court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail.
- C. The Municipal Court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for six months or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law.
- D. The Municipal Court shall have authority to establish a schedule of fees to defray the cost of operation and shall be entitled to reimbursement of the cost of meals, transportation, and catering of prisoners bound over to superior courts for violations of state law.
- E. The Municipal Court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before the court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for his appearance and shall fail to appear at the time fixed for trial, his bond shall be forfeited by the judge presiding at such time and an execution issued thereon by serving the defendant and his sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the City or the property so deposited shall have a lien against it for the value forfeited, which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.
- F. The Municipal Court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments, and sentences; and to administer such oaths as are necessary.
- G. The Municipal Court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summonses, subpoenas, and warrants which may be served as executed by any officer as authorized by this Charter or by law.
- H. Each judge of the Municipal Court shall be authorized to issue warrants for the arrest of persons charged with offenses against any ordinance of the City, and each judge of the Municipal Court shall have the same authority as a magistrate of the State to issue warrants for offenses against state laws committee within the City.
- I. The Municipal Court is specifically vested with all the jurisdiction and powers throughout the geographic area of this City granted by law to Mayor's, recorder's and police courts, and particularly by such laws as authorize the abatement of nuisances and prosecution of traffic violations.

[Sec.] 5. Certiorari.

The right of certiorari from the decision and judgment of the Municipal Court shall exist in all criminal cases and ordinance violations cases, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Newton County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

[Sec.] 6. Rules for court.

With the approval of the Mayor and Council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the Municipal Court; provided, however, that Mayor and Council may adopt in part or in to the rules and regulations applicable to superior courts. The rules and regulations made or adopted shall be filed with the City Clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in Municipal Court proceedings at least forty-eight (48) hours prior to the proceedings.

ARTICLE V. ELECTIONS AND REMOVAL

[Sec.] 1. General law; applicability of general law.

All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., known as the "State Election Code."

[Sec.] 2. Election of officers.

A. *Election of Mayor and councilmembers.*

- (1) There shall be a municipal general election on the first Tuesday following the first Monday in November, 2001, and biennially thereafter.
- (2) There shall be elected three councilmembers at the next election under this new Charter and at every other election thereafter. The remaining City Council seats and the office of Mayor shall be filled at the election alternating with the first election so that a continuing body is created as provided for in the initial election held pursuant to article V, [section] 2D of this Charter.

B. *Nonpartisan elections.* Political parties shall not conduct primaries for city offices and all names of candidates for city offices shall be listed without party designations.

C. *Election by majority.* The person receiving a majority of the votes cast for any city office shall be elected.

D. *First election under this Charter.* The first municipal election after the adoption of this Charter shall be held in November, 2001, at which councilmember positions for posts 4, 5, and 6 (all posts are at-large posts) shall be filled. All persons giving notice of candidacy for a City Council seat shall designate the post being sought. Posts 4, 5 and 6 shall be filled at this first election for an initial term of four years and until their respective successors are elected and sworn in such that a continuing body is created. Each councilmember elected shall serve a fall term as provided in article II, [section] 2 of this Charter.

The second municipal election after the adoption of this Charter shall be held in November, 2003, at which councilmember positions for Posts 1,2, and 3 (all posts are at-large posts) and the office of Mayor shall be filled. All persons giving notice of candidacy for a City Council seat shall designate the post being sought. Posts 1, 2, and 3 shall be filled at this second municipal election for an initial term of four years and until their respective successors are elected and sworn in such that a continuing body is created. Each councilmember elected shall serve a fall term as provided in article II, [section] 2 of this Charter.

The office of Mayor shall be filled at this election of November, 2003, for an initial term of four years and until his successor is elected and sworn in such that continuing position of Mayor is created. The Mayor elected shall serve a fall term as provided in article II, [section] 19 of this Charter. The position of the Mayor shall be filled every four years hereafter.

[Sec.] 3. Other provisions.

- A. Except as otherwise provided by this Charter, Mayor and Council shall by resolution prescribe such rules and regulations as it deems appropriate to fulfill any options and duties under Chapter 2 of Title 21 of the O.C.G.A., known as the "State Election Code."
- B. Removal of officers.
 - (1) The Mayor, councilmembers, or appointed officers provided for in this Charter shall be removed from office for any one or more of the causes provided in Title 45 of the Official Code of State Annotated, or such other applicable laws as are or may hereafter be enacted.
 - (2) Removal of a Mayor, councilmember or appointed officer pursuant to subparagraph (a) of this article shall be accomplished by one of the following methods:
 - (a) Following a hearing at which an impartial panel shall render a decision. In the event an elected officer is sought to be removed by the action of the City Council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. Mayor and Council shall provide by ordinance for the manner in which such hearing shall be held. Any elected official sought to be removed from office as herein provided shall have the right of appeal from the decision of Mayor and Council to the Superior Court of Newton County. Such appeal shall be governed by the same rules as govern appeals to the Superior Court from the probate court.
 - (b) By an order of the Superior Court of Newton County following a hearing on a complaint seeking such removal brought by any resident of the City of Oxford.

ARTICLE VI. FINANCE

[Sec.] 1. Taxation and various fees.

- A. *Property tax.* Mayor and Council may assess, levy, and collect an ad valorem tax on all real and personal property within the corporate limits of the City that is subject to such taxation by the State and county. This tax is for the purpose of raising revenues to defray the costs of operating the City government, of providing governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by Mayor and Council in its discretion.
- B. *Millage rate; due date; payment methods.* Mayor and Council by resolution shall establish a millage rate for the City property tax, a due date, and the time period within which these taxes must be paid. Mayor and Council by resolution may provide for the payment of these taxes by voluntary payment of taxes prior to the time when due.
- C. *Occupation taxes and business Taxes.* Mayor and Council by resolution shall have the power to levy such occupation or business taxes as are not denied by law. Such taxes may be levied on both individuals and corporations who transact business in this City or who practice or offer to practice any profession or calling therein to the extent such persons have a constitutionally sufficient nexus to this City to be so taxed. Mayor and Council may classify businesses, occupations, professions, or callings for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in article VI, [section] 11 of this Charter.
- D. *Regulatory licenses, fees, permits.* Mayor and Council, by resolution, shall have the power to require any individuals or corporations who transact business in this City or who practice or offer to practice any profession or calling therein to obtain a license or permit for such activity from the City and pay a reasonable

fee for such license or permit where such activities are not now regulated by general law in such a way as to preclude City regulations. Such fees may reflect the total cost to the City of regulating the activity and, if unpaid, shall be collected as provided in article VI, [section] 2A of this Charter. Mayor and Council by resolution may establish reasonable requirements for obtaining or keeping such licenses as the public health, safety, and welfare necessitate.

- E. *Franchises.* Mayor and Council shall have the power to grant franchises for the use of this City's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, cable television, gas companies, transportation companies, and other similar organizations. Mayor and Council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted unless the City receives just and adequate compensation therefor. Mayor and Council shall provide for the registration of all franchises with the City Clerk in a registration book kept by the Clerk. Mayor and Council may provide by resolution for the registration within a reasonable time of all franchises previously granted.
- F. *Services charges.* Mayor and Council, by resolution, shall have the power to assess and collect fees, charges, and tolls for sewers, sanitary and health services, fire services or any other services provided or made available within and outside the corporate limits of the City for the total cost to the City of providing or making available such services. If unpaid, such fees, charges, and tolls shall be collected as provided in article VI, [section] 1I of this Charter.
- G. *Special assessments.* Mayor and Council, by resolution, shall have the power to assess and collect the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in article VI, [section] 1I of this Charter.
- H. *Construction; other taxes and fees.* This City shall be empowered to levy any other tax allowed now or hereafter by law, and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of this City to govern its local affairs.
- I. *Collection of delinquent taxes and fees.* Mayor and Council by resolution may provide generally for the collection of delinquent taxes, fees, or other revenue due the City under article VI, [sections] 1A through 1I of this Charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city licenses for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.

[Sec.] 2. Borrowing.

- A. *General obligation bonds.* Mayor and Council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this Charter or the laws of the State. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time the issue is undertaken.
- B. *Revenue bonds.* Revenue bonds may be issued by Mayor and Council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program, or venture for which they were issued.
- C. *Short-term loans.* The City may obtain short-term loans and must repay such loans not later than December 31 of each year, unless otherwise provided by law.

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- D. *Lease-purchase contracts.* The City may enter into multi-year lease, purchase, or lease-purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies provided the contract terminates without further obligation on the part of the City at the close of the calendar year in which it was executed and at the close of each succeeding calendar year for which it may be renewed. Contracts must be executed in accordance with the requirements of O.C.G.A. § 36-60-13, or other such applicable laws as are or may hereafter be enacted.

[Sec.] 3. Accounting and budgeting.

- A. *Fiscal year.* Mayor and Council shall set the fiscal year by resolution. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency, and activity of the City government.
- B. *Preparation of budget.* Mayor and Council shall provide a resolution on the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvements program, and a capital budget, including requirements as to the scope, content, and form of such budgets and programs.
- C. *Submission of budget to City Council.* On or before a date fixed by Mayor and Council, but not later than 30 days prior to the beginning of each fiscal year. The Mayor shall submit to Mayor and Council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the Mayor containing a statement of the general fiscal policies of the City, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as he may deem pertinent. The operating budget and the capital improvements budget provided for in article VI, [section] 3G of this Charter, the budget message, and all supporting documents shall be filed in the office of the City Clerk and shall be open to public inspection.
- D. *Action by City Council on budget.* Mayor and Council may amend the operating budget proposed by the Mayor, except that the budget as finally amended and adopted must provide for all expenditures required by state law or by other provisions of this Charter and for all debt service requirements for the ensuing fiscal year, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues.
- (1) Mayor and Council, by resolution, shall adopt the final operating budget for the ensuing fiscal year not later than the thirty-first day of December each year. If Mayor and Council fails to adopt the budget by this date, the amounts appropriated for operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly until such time as Mayor and Council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriations resolution setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose, or activity as set out in the budget preparation resolution adopted pursuant to article VI, [section] 3B of this Charter.
- (2) The amount set out in the adopted operating budget for each organizational unit shall constitute the annual appropriation for such, and no expenditure shall be made, or encumbrance created in excess of the otherwise encumbered balance of the appropriation or allotment thereof to which it is chargeable.
- E. *Tax levies.* Following adoption of the operating budget, Mayor and Council shall levy by resolution such taxes as are necessary. The taxes and tax rates set by such resolution shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this City.
- F. *Changes in appropriations.* Mayor and Council, by resolution, may make changes in the appropriations contained in the current operating budget at any regular meeting or any special or emergency meeting called for such purpose, but any additional appropriations may be made only from an existing unexpended surplus.

G. *Capital improvements budget.*

- (1) On or before the date fixed by Mayor and Council, but no later than 30 days prior to the beginning of each fiscal year, the Mayor shall submit to Council a proposed capital improvements budget with his recommendations as to the means of financing the improvements proposed for the ensuing fiscal year. Mayor and Council shall have power to accept, with or without amendments, or reject the proposed program and proposed means of financing. Mayor and Council shall not authorize an expenditure for the constructing of any building, structure, work, or improvement unless the appropriations for such project are included in the capital improvements budget, except to meet a public emergency as provided in article II, [section] 16 of this Charter.
- (2) Mayor and Council shall adopt by resolution the final capital improvements budget for the ensuing fiscal year not later than the thirty-first day of December of each year. No appropriation provided in a prior capital improvements budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the Mayor may submit amendments to the capital improvements budget at any time during the fiscal year, accompanied by his recommendations. Any such amendments to the capital improvements budget shall become effective only upon adoption by resolution.

H. *Independent audit.* There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the Mayor and Council. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the State or federal governments may be accepted as satisfying the requirements of this Charter. Copies of all audit reports shall be available at printing costs to the public.

[Sec.] 4. Procurement and property management.

A. *Contracting procedures.* No contract with the City shall be binding on the City unless pursuant to procedures established by Mayor and Council and:

- (1) It is in writing;
- (2) It is drawn by or submitted to and reviewed by the City Attorney and, as a matter of course, it is signed-off by the City Attorney to indicate such drafting or review; and
- (3) It is made or authorized by Mayor and Council and such approval is entered in the City journal of proceedings pursuant to article II, [section] 12 of this Charter.

B. *Centralized purchasing.* Mayor and Council shall by resolution prescribe procedures for a system of centralized purchasing for the City.

C. *Sale and lease of city property.*

- (1) Mayor and Council may sell and convey any real or personal property owned or held by the City for governmental or other purposes as now or hereafter provided by law.
- (2) Mayor and Council may quitclaim any rights it may have in property not needed for public purposes upon report by the Mayor and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the City has no readily ascertainable monetary value.
- (3) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the City, a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the City, Mayor and Council may authorize the Mayor to execute and deliver in the name of the City a deed conveying the cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights-of-way of the street, avenue, alley, or public place

when such exchange is deemed to be in the best interest of the City. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the City has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

ARTICLE VII. GENERAL PROVISIONS

[Sec.] 1. Bonds for officials.

The officers and employees of this City, both elected and appointed, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as Mayor and Council shall from time to time require by ordinance or as may be provided by law.

[Sec.] 2. Prior ordinances.

All ordinances, resolutions, rules, and regulations that are now in force in the City and are not inconsistent with this Charter are declared valid and of full effect and force until amended or repealed by the City Council.

[Sec.] 3. Existing personnel and officers.

Except as specifically provided otherwise by this Charter, all personnel and officers of the City and their rights, privileges, and powers shall continue beyond the time this Charter takes effect for a period of 90 days before or during which the existing City Council shall pass a transition resolution detailing the changes in personnel and appointed officers required or desired and arranging such titles, rights, privileges, and powers as may be required or desired to allow a reasonable transition.

[Sec.] 4. Pending matters.

Except as specifically provided otherwise by this Charter, all rights, claims, actions, orders, contracts, and legal or administrative proceedings shall continue, and any such ongoing work or cases shall be completed by such city agencies, personnel, or offices as may be provided by the City Council.

[Sec.] 5. Definitions and construction.

- A. Section captions in this Charter are informative only and are not to be considered as a part thereof.
- B. The word "shall" is mandatory and the word "may" is permissive.
- C. The singular shall include the plural, the masculine shall include the feminine, and vice versa.

CHARTER COMPARATIVE TABLE GEORGIA LAWS

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ga. Laws Year	Act No.	Page	Section	Section this Charter
2011	28			Char. (note)

PART I - MUNICIPAL CHARTER
CHARTER COMPARATIVE TABLE GEORGIA LAWS

Section 2. Repeal of All Ordinances in Conflict

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

Section 3. Severability

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and such remainder shall remain in full force and effect.

Section 4. Effective Date

Pursuant to Sec. 2-21 (9) (D), this Ordinance shall be in full force and effect five (5) days after its final passage.

First reading, this 1st day of July, 2024.

Second reading and adoption, this 5th day of August, 2024.

CITY OF OXFORD

David S. Eady, Mayor

Erik Oliver, Mayor Pro Tem

George Holt, Councilmember

Laura McCanless, Councilmember

Mike Ready, Councilmember

Jeff Wearing, Council Member

James H. Windham, Councilmember

ATTEST:

Marcia Brooks, CMC, City Clerk

{The Seal of the City of Oxford, Georgia}

APPROVED AS TO FORM:

C. David Strickland, City Attorney



Proposal

To: **City of Oxford**
 Address: **110 W. Clark Street**
 City / State: **Oxford, GA 30054**

Date: **June 28, 2024**

Attn: **Jody Reid**

Job: **Oxford Storm Replacement**
 Location: **Collingsworth & Asbury Street**

Engineer: *N/A*
 Plan Date: *N/A*

Proposal good for 30 days

Standard Exclusions (Unless otherwise noted):

Asbestos and/or other hazardous materials testing or abatement is excluded.
 Set up or maintenance of truck wash facility.
 Re-location, removal or replacement of existing utilities.
 Excavation below sub-grade in cut areas or below stated topsoil depth in fill areas.

Removal/disposal of rock, unsuitable soils, hazardous materials. Rock Boring.

De-watering, well points, manipulation of soils to attain proper moisture content.
 Hauling off or hauling in dirt to achieve site balance.
 Hauling off or hauling in topsoil, except as noted.
 Water & sanitary sewer lines are priced to 5-ft outside buildings. Tie-in by others.
 Asphalt patching or asphalt overlay of existing streets.

Field staking, layout or as-built drawings.

Bonds, Permits, Fees, Meters.
NPDES permitting or monitoring.
Compaction Testing

Maintenance or removal of erosion control items.
 Select clearing or hand clearing.
 Undercutting or de-mucking.
 Catch basin tops & throats
 Shoring and/or sheet piling
 Landscaping, hardscaping or fencing.

Job Specific Notes:

Final pricing will be based on approved plans.
Due to current market conditions, vendor price fluctuations and product availability, pricing is subject to change.
A 1-year warranty for contracted items will begin at final completion.

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>		
STORM DRAIN				
24" RCP CLASS III (0'-12')	32	LF		
18" - 36" COLLARWALLS	2	EA		
24" RCP HEADWALL	2	EA		
SEED & STRAW	1	LS		
STONE BEDDING & BACKFILL	18	TN		
TYPE 3 RIP RAP	6	TN		
STREET CUT & ASPHALT PATCH	16	SY		
STORM DRAIN SUB-TOTAL:			\$	36,198.00
PROPOSAL TOTAL:			\$	36,198.00