



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
REGULAR SESSION  
MONDAY, August 1, 2016 – 7:00 P.M.  
CITY HALL**

**MEMBERS PRESENT: JERRY D. ROSEBERRY, MAYOR; COUNCILMEMBERS: JIM WINDHAM; SARAH DAVIS; GEORGE HOLT; DAVID EADY; MELVIN BAKER; MIKE READY.**

**OTHERS PRESENT: Bob Schwartz, City Manager; Dave Harvey, Police Chief; David Strickland, City Attorney; Lauran Willis, City Clerk; Jody Reid, Utility Superintendent; Hoyt and LaTrelle Oliver, Judy Greer, Jeff Wearing, John Burson, Josh Roberts, Genevieve Antoine, Kendra Mayfield, Todd Cain.**

The meeting was called to order by the Hon. Jerry D. Roseberry, Mayor and the invocation given by Hoyt Oliver.

Pledge of Allegiance:

**A motion was made by Davis, seconded by Ready to accept the Agenda for the August 1, 2016. The motion was approved 7/0.** Attachment A

Mayor Roseberry announced Robert Aiken as the Honorary Councilmember for August and presented him with a proclamation as appreciation for his participation. Attachment B

**A motion was made by Ready, seconded by Baker to approve the Minutes of the July 11, 2016 Regular meeting. The motion was approved 7/0.** Attachment C

**A motion was made by Holt, seconded by Windham to approve the Minutes of the July 18, 2016 Work Session. The motion was approved 7/0.** Attachment D

**PLANNING COMMISSION RECOMMENDATIONS/PETITIONS**

There were no new recommendations from the planning commission.

**CITIZENS COMMENTS/CONCERNS**

None

**Mayor's Report**

Mayor Roseberry announced that according to recent report, Oxford is remains the Safest City in the State of Georgia.

**Purchase of Police Vehicle**

City Manager Bob Schwartz said that the FY2017 budget includes \$24,000 for the purchase of a replacement patrol vehicle. We are requesting Council approval of a purchase order for \$23,727 to Allen Vigil Ford on the state contract. Attachment E

**A motion was made by Ready, seconded by Davis for the approval of a purchase order for \$23,727 to Allen Vigil Ford for the purchase of a replacement patrol vehicle. The motion was approved 7/0.**

**Speed limit on E. Soule Street**

City Manager Bob Schwartz said in order to receive state DOT permission to use radar on E. Soule, we are recommending the speed limit on E. Soule be increased from 25 mph to 30 mph. **Schwartz presented the first reading of an ordinance to increase the speed limit on E. Soule from 25 mph to 30 mph.** Attachment F

**Misuse of the 911 System**

City Manager Bob Schwartz said that recently we have had some problems with people abusing the 911 system. City attorney David Strickland called attention to the O.C.G.A. § 16-11-29.2 which covers this problem. **Since the issues Chief Harvey is having do not suit this code, Mayor Roseberry asked attorney Strickland to research the possibility of an ordinance under code sections for false alarms. This will be brought to the next meeting for further discussion.** Attachment G

**Write-Off of Uncollectible Debt**

City Clerk Luran Willis presented council with the breakdown of the FY2016 budgeted figures for bad debt. The budgeted amount for water is \$6,000, electric \$14,000 and sanitation \$2,800 with a request to write-off the budgeted amount of \$22,800. Willis said she is researching with GMA other resources who specialize in revenue recovery for debt collections and will have an update at the August work session.

**A motion was made by Windham, seconded by Holt to approve to write-off the budgeted amount of \$22,800 for FY2016. The motion was approved 7/0.**

**Demolition of buildings on E. Clark Street**

City Manager Bob Schwartz presented two bids for the demolishing and abatement of the two buildings on East Clark Street. Schwartz said based on the two bids he is recommending Council approve a purchase order for the low bidder Ace/Kimble Services, Inc. for \$13,750. Attachment H

**A motion was made by Windham, seconded by Baker to approve the purchase order to the low bidder Ace/Kimble Services to demolish and abate the two buildings on East Clark Street. The motion was approved 7/0.**

**Invoice Approval**

**INVOICES OVER \$1,000.00**

VENDOR	DESCRIPTION	AMOUNT
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City Oxford Utilities	City Hall/Maintenance Facility/Old Church/Pump Station on Richardson Utilities for (July)	2,061.47
City of Covington	Sewer charges for 3/31/16 – to – 6/30/16	11,274.00
GMEBS Retirement	Employee Retirement Fund (August)	6,527.91
Humana	Health Insurance (August)	7,702.02
Latham Home Sanitation	Monthly waste removal services (July)	5,636.10
Sophicity	IT in a Box (July)	1,701.68
Southeastern Power Administration	SEPA energy cost	3,091.75

#### PURCHASES/CONTRACT LABOR

Consolidated Monthly Report	Municipal Court State of GA Funds & Fees	1,393.89
Courtware Solutions, Inc.	Monthly licensing, support and maintenance	1,242.00
David Strickland, P.C.	Professional Services	1,719.83
Florida Transformer	Cost for 2 Transformers	1,026.00
GA Department of Natural Resources	Annual Drinking Water Contract 7/1/16 – 6/30/17	3,900.00
Irby Electrical Distributor	1 Type 9 and 2 Type 11 Dead front air insulated Pad mounted switchgear with fuse storage, fuse unite and end fittings for underground service at Emory	50,855.00
Irby Electrical Distributor	Supplies for underground project at Emory	1,175.00
Irby Electrical Distributor	Materials for underground project for Emory	32,326.58
Irby Electrical Distributor	Transformer, cabinet base /Pad mount/Power Pack Assembly for underground service at Emory.	8,173.00
Woco Pep Oil	Fuel for city vehicles and equipment	2,220.24

#### APPROVED CONTRACTS

Enviroprobe, LLC	Demolition and disposal residential house & site work	9,500.00
Jordan Engineering	Research, sewer route mapping/Platting and r/w corner point, set r/w pins, research, calculations and platting, project overview and summary report	9,415.00
Jordan Engineering	Geotechnical Investigation of boardwalk and bridge area of George Street Park trail project	2,380.00
Marable-Pirkle, Inc.	Underground Project for Oxford College	17,829.92
Marable-Pirkle, Inc.	Install 27 long sweep 90 degree PVC transition elbows	1,100.00

After review and questions:

**A motion was made by Holt, seconded by Eady to approve payment of the invoices. The motion was approved 7/0.**

**A motion was made by Windham, seconded by Ready to adjourn the meeting at 7:38 PM. The motion was approved 7/0.**

Respectfully submitted,

Handwritten signature of Lauran S. Willis in cursive script.

Lauran S. Willis, CMC/FOA  
City Clerk

**OXFORD MAYOR AND COUNCIL  
REGULAR MEETING  
MONDAY, AUGUST 1, 2016 – 7:00 P.M.  
CITY HALL  
A G E N D A**

**WORK SESSION  
6:00 P.M.**

1. Call to Order, Mayor Jerry D. Roseberry
2. Discussion of city's sign ordinance in regards to the U.S. Supreme Court decision in Reed v. Town of Gilbert and Georgia Code Section 16-7-58. City attorney David Strickland will join the meeting.
3. Adjourn

**REGULAR MEETING**

1. Call to Order, Mayor Jerry D. Roseberry
2. Invocation
3. Pledge of Allegiance
4. Motion to accept the Agenda for the August 1, 2016 Mayor and Council Regular Meeting
5. **Honorary Councilmember of the Month** – Councilmember Melvin Baker has appointed Robert Aiken as the honorary councilmember of the month for August.
6. \* Motion to approve the Minutes of the Regular Meeting July 11, 2016.
7. \* Motion to approve the Minutes of the Work Session July, 18, 2016.
8. Planning Commission Recommendations/Petitions
9. Citizen Concerns
10. Mayor's Report
11. **\* Purchase of Police Vehicle** – The FY2017 budget includes \$24,000 for the purchase of a replacement patrol vehicle. We are requesting Council approval of a purchase order for \$23,727 to Allen Vigil Ford on the state contract. We have attached a memo from Chief Harvey including the other bids received.

12. \* **Speed limit on E. Soule Street** – In order to receive state DOT permission to use radar on E. Soule, we recommend the speed limit on E. Soule be increased from 25 mph to 30 mph. We have attached an ordinance for first reading approval.
13. \* **Misuse of the 911 System** – Recently we have had some problems with people abusing the 911 system. City attorney David Strickland has called our attention to OCGA § 16-11-39.2 which covers the problem. We have attached a copy.
14. **Write-Off of Uncollectible Debt** – The total of bad debt for FY 2016 as of June 30, 2016 is \$31,602.74. We budgeted \$6,000 to water, \$14,000 to electric and \$2,800 to sanitation. We request a motion to write-off the budgeted amount of \$22,800 for FY2016. Lauran is researching with GMA other resources who specialize in revenue recovery services for debt collections and will have an update on this at the August work session.
15. \* **Demolition of buildings on E. Clark** – We received the attached two bids to demolish and abate the two buildings on E. Clark. We recommend Council approve a purchase order to the low bidder Ace/Kimble Services, Inc. for \$13,750.
16. Invoice Approval
17. Adjourn

#### INVOICES OVER \$1,000.00

VENDOR	DESCRIPTION	AMOUNT
<b>City Oxford Utilities</b>	City Hall/Maintenance Facility/Old Church/Pump Station on Richardson Utilities for (July)	2,061.47
<b>City of Covington</b>	Sewer charges for 3/31/16 -- to -- 6/30/16	11,274.00
<b>GMEBS Retirement</b>	Employee Retirement Fund (August)	6,527.91
<b>Humana</b>	Health Insurance (August)	7,702.02
<b>Latham Home Sanitation</b>	Monthly waste removal services (July)	5,636.10
<b>Sophicity</b>	IT in a Box (July)	1,701.68
<b>Southeastern Power Administration</b>	SEPA energy cost	3,091.75
<b>PURCHASES/CONTRACT LABOR</b>		
<b>Consolidated Monthly Report</b>	Municipal Court State of GA Funds & Fees	1,393.89
<b>Courtware Solutions, Inc.</b>	Monthly licensing, support and maintenance	1,242.00
<b>David Strickland, P.C.</b>	Professional Services	1,719.83
<b>Florida Transformer</b>	Cost for 2 Transformers	1,026.00
<b>GA Department of Natural Resources</b>	Annual Drinking Water Contract 7/1/16 – 6/30/17	3,900.00
<b>Irby Electrical Distributor</b>	1 Type 9 and 2 Type 11 Dead front air insulated Pad mounted switchgear with fuse storage, fuse unite and end fittings for underground service at Emory	50,855.00
<b>Irby Electrical Distributor</b>	Supplies for underground project at Emory	1,175.00
<b>Irby Electrical Distributor</b>	Materials for underground project for Emory	32,326.58

<b>Irby Electrical Distributor</b>	Transformer, cabinet base /Pad mount/Power Pack Assembly for underground service at Emory.	8,173.00
<b>Woco Pep Oil</b>	Fuel for city vehicles and equipment	2,220.24
<b>APPROVED CONTRACTS</b>		
<b>Enviroprobe, LLC</b>	Demolition and disposal residential house & site work	9,500.00
<b>Jordan Engineering</b>	Research, sewer route mapping/Platting and r/w corner point, set r/w pins, research, calculations and platting, project overview and summary report	9,415.00
<b>Jordan Engineering</b>	Geotechnical Investigation of boardwalk and bridge area of George Street Park trail project	2,380.00
<b>Marable-Pirkle, Inc.</b>	Underground Project for Oxford College	17,829.92
<b>Marable-Pirkle, Inc.</b>	Install 27 long sweep 90 degree PVC transition elbows	1,100.00



# PROCLAMATION

**WHEREAS**, citizen input is important to the City Council of the City of Oxford so we can better govern our City; and

**WHEREAS**, it is important to show the citizens of our City how our City operates and how City Council functions; and

**WHEREAS**, City Council has created the Honorary Councilmember of the Month Program in Oxford; and

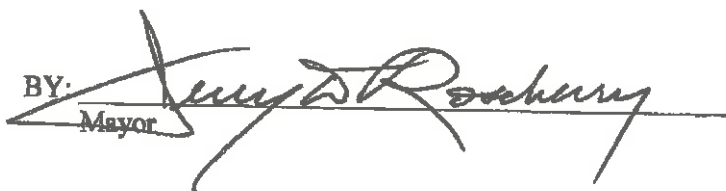
**WHEREAS**, Councilmember Melvin Baker has nominated Robert Aiken to serve for this month.

**NOW, THEREFORE**, I, Mayor Jerry D. Roseberry, do hereby appoint Robert Aiken as the Honorary Councilmember for the City of Oxford for the month of August.

**SO PROCLAIMED**, this first day of August, 2016.

**MAYOR AND CITY COUNCIL OF OXFORD**

BY:

  
Mayor

ATTEST:

City Clerk









**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
REGULAR MEETING  
MONDAY, July 11, 2016 – 7:00 P.M.  
CITY HALL**

**MEMBERS PRESENT: JERRY D. ROSEBERRY, MAYOR; COUNCILMEMBERS: JIM WINDHAM; SARAH DAVIS; GEORGE HOLT; DAVID EADY; MELVIN BAKER; MIKE READY WAS REPRESENTING THE CITY AT THE ANNUAL MEAG MEETING.**

**OTHERS PRESENT: Bob Schwartz, City Manager; Dave Harvey, Police Chief; David Strickland, City Attorney; Lauran Willis, City Clerk; Jody Reid, Utility Superintendent; Hoyt and LaTrelle Oliver, Peggy Madden, Judy Greer, Jeff Wearing, Anderson Wright, Penny Windham, Miriam Hall.**

The meeting was called to order by the Hon. Jerry D. Roseberry, Mayor and the invocation given by Hoyt Oliver

Pledge of Allegiance:

**A motion was made by Baker, seconded by Windham to accept the Agenda for the July 11, 2016 Mayor and Council Regular Meeting. The motion was approved 6/0.** Attachment A

Mayor Roseberry announced Miriam Hall as the Honorary Councilmember for July and presented her with a proclamation as appreciation for her participation. Attachment B

**A motion was made by Eady, seconded by Davis to approve the Minutes of the June 6, 2016 Regular Meeting. The motion was approved 6/0.** Attachment C

**A motion was made by Holt, seconded by Eady to approve the Minutes of the June 20, 2016 Work Session. The motion was approved 6/0.** Attachment D

**A motion was made by Eady, seconded by Windham to accept the Minutes of the April 12, 2016 Planning Commission. The motion was approved 6/0.** Attachment E

**PLANNING COMMISSION RECOMMENDATIONS/PETITIONS**

There were no new recommendations from the planning commission.

**CITIZENS COMMENTS/CONCERNS**

Judy Greer and Anderson Wright thanked everyone for their hard work and participation in the July 3rd Historical Society and Lions Club Picnic and the July 4th preparations and events.

**Mayor Reports**

Mayor Roseberry thanked all of the employees and volunteers for their hard work in making this year's July 4<sup>th</sup> a big success.

**July 4<sup>th</sup> Parade**

City Clerk Lauran Willis gave an update on the parade paying special notice and thanks to Mayor and Council for their participation; the Shane Millwood Band for music; Jane and James O'Toole who performed the National Anthem; 2016 Parade Marshall Jim Watterson; and all of the other volunteers and vendors who participated. The parade and events went very well.

**DDA ad hoc Study Committee**

City Manager Bob Schwartz reported the study is ongoing and is almost complete. Mike Ready will give an update at the Work Session next week when he returns.

**Millage Rate**

City Manager Bob Schwartz presented a copy of the Public Notice that appeared in the Covington News explaining we are required to adopt the millage rate at a public meeting. The rollback rate is 7.23 mills; down from the 7.76 for FY2015. State Law requires us to conduct three public hearings if we plan to adopt the millage rate higher than the rollback rate. Based on statistics he recommended the city adopt the millage at the County Assessed Rollback rate of 7.23.

**A motion was made by Windham, seconded by Holt to adopt the millage at the rollback rate of 7.23 mills. The motion was approved 6/0.**

**Off System Safety Grant**

City Manager Bob Schwartz presented estimates on the cost of stamped concrete raised pedestrian crosswalks compared to brick crosswalks and summarized the cost compared to the grant total from GDOT. After review and discussion.

**A motion was made by Eady, seconded by Windham to accept the bid from Designed Installations by Jim Williams in the amount of \$37,150 and the total project cost of 49,150 with a local match of \$19,150. The motion was approved 6/0.**

**104 West Watson**

City Manager Bob Schwartz said we are requesting Council approval to proceed with the demolition of the house on 104 West Watson which is in the Asbury Street Park tract. We received two proposals for this work in February. Enviroprobe at \$9,500 and Designed Installations at \$9,400. We are checking to see if these prices are still valid and, if so, we will issue a purchase order to Designed Installations. The asbestos abatement has already been done.

**A motion was made by Eady, seconded by Baker to accept the bid from Designed Installations by Jim Williams in the amount of \$9,400. The motion was approved 6/0.**

**Other Business**

Mayor Roseberry asked City Attorney David Strickland for an update on the property at 1002 E. Clark Street. Strickland said all of the law firms he is working with have given approval for the demo. He is waiting to hear

back from the defendant's attorney for final confirmation in hand. He said the city should be good to start on the demo. Councilmember Baker said we should obtain pictures before anything is demolished. Mayor Roseberry asked City Manager Schwartz to get pictures and bids for the demo for Council to decide on at the Work Session.

### Invoice Approval

#### INVOICES OVER \$1,000.00

VENDOR	DESCRIPTION	AMOUNT
City Oxford Utilities	City Hall/Maintenance Facility/Old Church/Pump Station on Richardson Utilities for (June)	1,634.70
Georgia Municipal Association	2016 -2017 Membership Dues	1,300.67
GMEBS Retirement	Employee Retirement Fund (July)	6,527.91
Humana	Health Insurance (July)	7,702.02
Latham Home Sanitation	Monthly waste removal services (June)	5,636.10
NaturChem	Brush Control Services for Trail	1,600.00
NaturChem	Brush Control Services Future Park @ Asbury	1,350.00
Newton County BOC	Cornish Creek Water Fund (May)	12,665.00
Newton County BOC	Cornish Creek Water Fund (June)	15,598.00
Newton County Water & Sewer	Sewer charges for (May)	5,690.44
Northeast Georgia Regional Com.	FY2017 Per Capita Dues	2,262.00
Sophicity	IT in a Box (July)	1,701.68
Southeastern Power Administration	SEPA energy cost	3,016.57
<b>PURCHASES/CONTRACT LABOR</b>		
Air Conditioning Specialist Inc.	Repair two units, Police Dept and 2 <sup>nd</sup> floor break room	1,361.00
Anixter Inc.	End Poles for Emory's underground project.	2,805.00
Arbor Equity Inc.	Tree Pruning various	2,325.00
Card Services/Master Card	Hotel Fee for GRW Conference for Jody and Scottie/Honorary Council Lunch/Flags & Flagpoles for Emory Street/Miscellaneous parade supplies/coffee, etc.	2,524.14
Irby Electrical Distributor	Conduit for Underground project for Emory	10,865.00
Irby Electrical Distributor	Materials for Underground project for Emory/Cable w/260 MIL Insulation, 1/3 Copper & Overall Jacket	33,660.00
M. Qader Baig	Legal Services, Solicitor Municipal Court, April, May and June.	1,200.00
Scarborough Tree Service	Remove large Oak from ROW on Fletcher & Wesley	3,000.00
Sensus	16 - 3/4" water meters	1,830.10
Steven A. Hathorn	Legal Services Municipal Judge Jan-March 2016	1,250.00
Utility Services Co., Inc.	Quarterly Tank Maintenance	2,715.32
Woco Pep Oil	Fuel for city vehicles and equipment	2,435.04
<b>APPROVED CONTRACTS</b>		
Ace/Kimble Services	Repair Deck and Benches Old Church	1,125.00

<b>Ace/Kimble Services</b>	6" Sewer tap and bore road @ 1204 W. Soule St.	3,450.00
<b>AT&amp;T</b>	Remove & Relocate Aerial Copper Cables & Service Wire for College Underground	11,356.92
<b>Carr, Rahn &amp; Associates, Inc.</b>	Appraisal Report Update 1002 Emory Street	2,000.00
<b>Church Street Services</b>	City of Oxford Special Projects April 30 – May 31	2,324.70
<b>Jarod Environmental</b>	Backflow for new cafeteria for college (not to be reimbursed, part of tap fee cost)	1,566.00
<b>Jordan Engineering</b>	Professional Engineering/George St. Trail/Moore St. Sidewalk, data collection rights-of-way survey.	4,407.50
<b>Jordan Engineering</b>	Research, data management, and platting to prepare sidewalk easement across Emory property for Moore St. sidewalk project./Topo & locate specimen trees/work on boundary line resolution, evaluation & ROW mapping/Sewer route mapping (Areas 1 & 3)	9,730.00
<b>Marable-Pirkle, Inc.</b>	Provide labor and Equipment for Pole Change out and System Upgrade Bonnell St. 100% complete	37,242.30
<b>Marable-Pirkle, Inc.</b>	Change Order#1: Provide labor & Equip for Emory College Underground Installation, Transformer relocation.	2,956.68
<b>Sumner Meeker, LLC</b>	Professional services/Emory Street- June	2,895.00
<b>University of Georgia</b>	Special Projects Study, Part 1	4,092.00

After review and questions:

**A motion was made by Holt, seconded by Windham to approve payment of the invoices. The motion was approved 6/0.**

**A motion was made by Eady, seconded by Baker to adjourn the meeting at 7:32 PM. The motion was approved 6/0.**

Respectfully submitted,

Lauran S. Willis, CMC/FOA  
City Clerk



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
WORK SESSION  
MONDAY, July 18, 2016 – 6:00 P.M.  
CITY HALL**

**MEMBERS PRESENT: JERRY D. ROSEBERRY, MAYOR; COUNCILMEMBERS: JIM WINDHAM; MELVIN BAKER; SARAH DAVIS; GEORGE HOLT; DAVID EADY; MIKE READY.**

**OTHERS PRESENT: Bob Schwartz, City Manager; Dave Harvey, Chief; Lauran Willis, City Clerk; Scottie Croy; Hoyt and LaTrelle Oliver, Kendra Mayfield, Todd Cain, Cheryl Ready, Robert Aiken, Anderson Wright.**

The meeting was called to order by the Hon. Jerry D. Roseberry.

**Honorary Councilmember**

Mayor Roseberry introduced Robert Aiken as the Honorary Councilmember for August who was appointed by Councilmember Melvin Baker.

**Mayor's Announcements**

Mayor Roseberry announced he received notice from DNR that the deadline for the Gator Lottery Permits to hunt alligator is July 31<sup>st</sup>. He also announced there has been another violent attack in Germany today.

**MEAG Voting Representative**

Councilmember Mike Ready gave an update on the MEAG annual meeting he attended last week. He said this year's theme was "Every City in Trouble with Electricity". He said MEAG presented discussion on solar energy and he effects it will have on electricity. Ready pointed out that the city needs to review its plan on solar and look at revenue sources as it relates to electricity. Ready presented council with a 2016 Directory from MEAG which contains their Regional Manager Assignments, Financial Services and Engineering, Planning & Operation contacts.

**East Clark**

City Manager Bob Schwartz said we are working on getting prices for the demolition of the two structures on East Clark Street. He and Chief Harvey have taken photos of the two structures as requested by council for our file documentation. Schwartz said he will have the final prices at the next meeting.

**Project Status and Engineer's Progress Reports**

City Manager Bob Schwartz presented the project status reports depicting new projects that will begin with the new fiscal year. He gave a summary of the ongoing projects being worked on by the city engineer Robert Jordan.

**DDA Study Committee**

Committee Chair Mike Ready said the DDA Committee has met on several occasions to determine the need and options the city has for a Downtown Development Authority with the focus on what the city can do in the next five years to have development in the city. Ready presented a draft of questions with various sources and tasks used to create the list depicting the options of a DDA vs public/private partnership or a developer.

Councilmember Baker asked; "What is the relationship between the DDA and Council"? Councilmember Eady said DDA is not the only way to go, the city would be able to select options, manage and execute their own plan.

**Substandard Rental Properties**

Mayor Roseberry said we need to discuss the need for an ordinance to deal with substandard rental properties, including requiring inspections before connecting utilities. Mayor Roseberry said we need to take action on trying to improve rental properties. We need to put an ordinance in place that would allow the city to inspect and require inspections of properties. City Manager Bob Schwartz presented a copy of the ordinance from the City of Porterdale which explains how they handle substandard rental properties. Councilmember Eady said we need to look at the issues comprehensively, looking at revenue and shifting revenue to the property tax side instead of consumption base tied to enterprise fund. Councilmember Windham said we need to look at and re-emphasize our policy regarding junk cars, tires etc. With the increasing threat of zika virus citizens should clear out old tires and junk that may be retaining water.

**Purchase of Police Vehicle**

City Manager Bob Schwartz said the FY2017 budget includes \$24,000 for the purchase of a replacement vehicle. Chief Harvey presented a memo including three bids on purchasing a new patrol car. Harvey said after reviewing of the bids we are requesting Council approval of a purchase order for \$23,727 to Allen Vigil Ford on the state contract. This will be presented to Council at the August meeting for approval.

**Speed limit on E. Soule Street**

Chief Harvey presented discussion regarding the speed limit on Wesley Street & E. Soule Street. He said after meeting with Mr. Kendrick Collins, the district traffic engineer for the Department of Transportation, Mr. Collins had no objection to approving Wesley Street; however he did have an issue with E. Soule Street after seeing the statistics from our traffic data recording device. Collins said he had an issue with the department operating speed detection devices with a speed limit of 25 mph. He suggested the speed be raised to a minimum of 30 mph, with a speed reduction sign placed before entering the city. Based on these findings Chief Harvey made a recommendation to council to approve the increase in the speed on E. Soule Street to 30mph. After discussion Mayor Roseberry instructed City Manager Bob Schwartz to have the city attorney draft an ordinance to raise the speed limit on E. Soule from 25mph to 30mph for a first reading at the August 1 meeting.

**Misuse of the 911 System**

Chief Harvey informed Council that we have had some problems with people abusing the 911 system. Chief

Harvey explained the issues and presented Council with a *Draft* ordinance with a recommendation for adoption to prevent future issues. After discussion Mayor Roseberry instructed City Manager Bob Schwartz to have the city attorney put together an ordinance for misuse of the 911 system for a first reading at the August 1 meeting.

**Projects Status and Engineer's Progress Reports**

City Manager Bob Schwartz presented reports depicting the timelines for various FY2017 budgeted projects. He also presented the June activity summary report from City Engineer Robert Jordan.

**Write-Off of Uncollectible Debt**

City Clerk Luran Willis presented discussion regarding the write-off of uncollectible debt for FY2016. Willis said the total as of Jun 30, 2016 is \$31,602.74. We will request Council approve a resolution to write off the budgeted amount for FY2016. After discussion Mayor Roseberry requested City Clerk Luran Willis to research our policies to determine if we need to make any changes that would reduce the amount of uncollectible debt.

The meeting was adjourned at 7:02 PM.

Respectfully submitted,

Lauran S. Willis, CMC/FOA  
City Clerk

**Chief W. D. Harvey**  
**110 W. Clark St.**  
**Oxford, GA 30054**



**Memorandum**

July 6, 2016

**RECEIVED**  
JUL 11 2

**To:** Bob Schwartz, City Manager

**From:** Chief WD Harvey

**Subject:** New Vehicle Purchase

After considering the three bids on purchasing a new patrol car, I have decided to recommend that we continue doing business with Allen Vigil Ford. Allen Vigil Ford was the lowest bid and more efficient in providing information on exactly what was needed regarding certain equipment and their customer service has been excellent in the past three purchases in which I have dealt with them. I have included copies of all three bids. An attempt was made to get a quote from Covington Ford, however, not being a government dealership, they were unable to find exact part numbers needed for the police package.

The exact price of the vehicle from Allen Vigil Ford is \$23,727.00 delivered.

Sincerely,

  
Dave Harvey

Oxford Police Chief





CNGP530

VEHICLE ORDER CONFIRMATION

05/10/16 14:22:57

Dealer: F21122

Page: 1 of 1

2016 TAURUS

Order No: 0001 Priority: F5 Ord FIN: KC241 Order Type: 5B Price Level: 650  
Ord Code: 500A Cust/Flt Name: CITY OF OXFOR PO Number:

RETAIL  
F2M AWD INTERCEPTOR \$29085  
YZ OXFORD WHITE  
R CLOTH/VINYL  
W BLACK  
500A EQUIP GRP  
.FLEX FUEL  
99K .3.7L TIVCT V6 NC  
44J .6-SPD AUTO TRAN NC  
FRT LICENSE BKT NC  
20P NOISE SUP BONDS 95  
51G GRILL LAMP WIRE 50  
60P KEY FOB 255  
661 FRNT HDLAMP PKG 895  
794 PRICE CONCESSN  
REMARKS TRAILER

RETAIL  
SP DLR ACCT ADJ  
SP FLT ACCT CR  
FUEL CHARGE  
B4A NET INV FLT OPT NC  
PRICED DORA NC  
DEST AND DELIV 875  
TOTAL BASE AND OPTIONS 31255  
TOTAL 31255  
\*THIS IS NOT AN INVOICE\*  
\*TOTAL PRICE EXCLUDES COMPS PR

23727<sup>00</sup>  
DELIVERED

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

F9=View Trailers

S099 - PRESS F4 TO SUBMIT

QD00509

fmcdealr@FLT7N

May 10, 2016 2:25:56 PM

NOTE: REAR VIEW CAMERA DISPLAY IN CENTER STACK.  
CAN GET DISPLAY IN REARVIEW MIRROR (NO CHARGE)



# GA Statewide Contract ES-RFR-40199-409

## 2016 Pursuit Sedan AWD

3.7L V6, CLOTH FRONT/VINYL REAR, POWER WINDOWS & LOCKS, PURSUIT RATED TIRES  
 WADE FORD Government Sales 3860 South Cobb Dr Smyrna, GA 30080  
 Jack Eastland Phone (678) 385-3452 FAX (770) 433-2412 email: jeastland@wade.com

Ord	Code	Chassis	Total	Ord	Body / Equipment	Total
1	13P	Headlight Housing	112.00			
	99T	3.5L V6 EcoBoost Engine	3,451.00			
1	60P	Keyless Remote	230.00		Whelen Light Bar, Whelen Siren Light Controller, Whelen Speaker, Whelen Corner Led, Warning Light Led, 2.5 Fire	3,945.00
	21L	LED Drivers Spotlight	338.00			
	21H	Spot Lamp Prep	90.00			
	21J	Dual Spot Lamp Prep	180.00			
	13C	Dark Car	18.00		Proguard - Pro Cell Prisoner Transport, Full Partition, Full Transport Seat & Floor Pan, Pair Rear Door Panels, Pair Window Armor Lower	2,499.00
1	51G	Pre Wire Grille	145.00			
	65L	Full Wheel Covers	58.00			
1	661	Head Lamp Solution	805.00		Rhino Center Push Bumper	524.00
	12P	Interior Upgrade	345.00		Whelen Tag Mount Tir 3	147.52
	14*	Two Tone Vinyl	740.00			
	642	Aluminum Wheels	438.00			
	53M	SYNC	261.00			
	77B	Rear View Camera	225.00			
	47°	Remappable Switches (4) on Steering Wheel	138.00		Gamber Johnson Console Kit, Gamber Johnson Note Pad widths 10.62-16.5 & depths 9.0 - 12.38	860.85
	17I	Carpet	112.00			
	88C	2nd Row Cloth Seats	54.00			
	43*	Keyed Allike	46.00			
	60B	Frame Rail Bracket	24.00		Patrol Package - Lights/Siren Package, Partition, Window Bars & Center Push Bumper	6,326.25
	98K	Lockable Gas Cap	18.00			
	76R	Reverse Sensing	242.00			
1	20P	Noise Suppression Bonds	88.00			
	549	Heated Mirrors	54.00			
	55B	BLIS (Blind Spot Alert)	432.00			
	19T	Cargo Storage Vault	216.00			
	942	Daytime Running Lights	42.00			
	59B	Perimeter Alarm	115.00			
	96E	Side Marker Lights	201.00			
	XXX	Blue Blue/ Red Red	32.00			
	18L/G	Rear Door Handles InOp	32.00			
	63B/P	Rear Handles & Locks InOp	32.00			
	67D	Rear Window Power Delete	24.00			
	62D/9	Electronics Tray w/ Fan	370.00			
	65E	Ballistic Door Panel	1,440.00			
	P2L	Front Wheel Drive DEDUCT	(1,000.00)			
	16D	Badge Delete	0.00			

PAINT COLORS			
YZ	Oxford White	Royal Blue	LM
G1	Black	Light Blue Metallic	LN
4650	Fire Engine Red (VSO)	Ultra Blue Metallic	MM
BU	Medium Brown Metallic	Blue Jeans Metallic	N1
E3	Arizona Beige Clearcoat	Silver Gray Metallic	TN
HG	Smokestone Metallic	Sterling Gray Metallic	UJ
J1	Kodiac Brown Metallic	Ingot Silver Metallic	UX
JL	Dark Toreador Red Metallic	Medium Titanium Metallic	YG
KR	Norsea Blue Metallic	Dark Forest Green (VSO)	7606
LK	Dark Blue	Emerald Green (VSO)	7862

Base Vehicle	\$	22,359.00
Total Chassis Options	\$	1,380.00
Total Body Options	\$	-
Delivery Zone	\$	100.00
<b>TOTAL</b>	<b>\$</b>	<b>23,839.00</b>

Agency Contact \_\_\_\_\_  
 Agency \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

CNGP530

VEHICLE ORDER CONFIRMATION

06/14/16 15:02:25

=>

Dealer: F21215

Page: 1 of 1

2016 TAURUS

Order No: 0001 Priority: G4 Ord FIN: KC241 Order Type: 5B Price Level: 650

Ord Code: 500A Cust/Flt Name: OXFORD

PO Number:

RETAIL

RETAIL

P2M AWD INTERCEPTOR \$29085

FUEL CHARGE

YZ OXFORD WHITE

B4A NET INV FLT OPT NC

R CLOTH/VINYL

PRICED DORA NC

W BLACK

DEST AND DELIV 875

500A EQUIP GRP

TOTAL BASE AND OPTIONS 31255

.FLEX FUEL

TOTAL 31255

99K .3.7L TIVCT V6 NC

\*THIS IS NOT AN INVOICE\*

44J .6-SPD AUTO TRAN NC

FRT LICENSE BKT NC

20P NOISE SUP BONDS 95

51G GRILL LAMP WIRE 50

60P KEY FOB 255

661 FRNT HDLAMP PKG 895

SP DLR ACCT ADJ

SP FLT ACCT CR

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC00214

fmcdealr@KevinHarville

Jun 14, 2016 3:02:30 PM

*SELLING PRICE \$24,402.18 F.O.B. AUGUSTA GA.*

CNGP530

VEHICLE ORDER CONFIRMATION

06/14/16 15:02:25

Dealer: F21215

Page: 1 of 1

2016 TAURUS

Order No: 0001 Priority: G4 Ord FIN: KC241 Order Type: 5B Price Level: 650  
Ord Code: 500A Cust/Flt Name: OXFORD PO Number:

RETAIL

P2M AWD INTERCEPTOR \$29085  
 YZ OXFORD WHITE  
 R CLOTH/VINYL  
 W BLACK  
 500A EQUIP GRP  
 .FLEX FUEL  
 99K .3.7L TIVCT V6 NC  
 44J .6-SPD AUTO TRAN NC  
 FRT LICENSE BKT NC  
 20P NOISE SUP BONDS 95  
 51G GRILL LAMP WIRE 50  
 60P KEY FOB 255  
 661 FRNT HDLAMP PKG 895  
 SP DLR ACCT ADJ  
 SP FLT ACCT CR

RETAIL

FUEL CHARGE  
 B4A NET INV FLT OPT NC  
 PRICED DORA NC  
 DEST AND DELIV 875  
 TOTAL BASE AND OPTIONS 31255  
 TOTAL 31255  
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QC00214

fncdealr@KevinHarville

Jun 14, 2016 3:02:30 PM

*SELLING PRICE \$24,402.18 F.O.B. AUGUSTA GA.*

*GERALD JONES FORD*

**STATE OF GEORGIA  
COUNTY OF NEWTON**

**ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXFORD TO AMEND CHAPTER 34 TRAFFIC AND VEHICLES, SECTION 34-59: SPEED ZONE SCHEDULE, OF THE CODE OF OXFORD, GEORGIA, AS AMENDED, SO AS TO AMEND THE ESTABLISHED SPEED LIMITS WITHIN THE CITY OF OXFORD, TO REPEAL ALL CONFLICTING ORDINANCES, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER LAWFUL PURPOSES**

**WHEREAS, THE COUNCIL OF THE CITY OF OXFORD ORDAINS**, the City of Oxford, Georgia, hereinafter referred to as the ("City") pursuant to O.C.G.A. § 40-6-183 has the authority to declare a reasonable and safe maximum vehicle speed limit on a highway or part of a highway under its jurisdiction; and

**WHEREAS**, Section 59 of Article II of Chapter 34 of the Code of the City of Oxford, Georgia regulates speed zones for the roadways in the City; and

**WHEREAS**, the City of Oxford has completed a traffic study in compliance with Georgia law that confirms the speed limit on East Soule Street should be increased; and

**WHEREAS**, following a review of those regulations, the City Council of the City of Oxford finds that the following amendment to the regulations is appropriate in order to advance the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Oxford, Georgia, and it is hereby ordained by the authority of same as follows:

**Section 1.**

The Off System Table Insert in Section 38-59(c) of the Code of the City of Oxford, Georgia is hereby amended so as to increase the speed limit on Soule Street (east) from SR 81 to the Oxford City Limit to 30 miles per hour, and said Table Insert shall be amended as follows:

Road Name	City/School	From	To	Length in Miles	Speed Limit
Soule Street (east)	Oxford	Sr 81 – Emory Street	Oxford City Limit	0.4	30

**Section 2.**

Be it ordained by City Council of the City of Oxford, Georgia that the following speed zones are hereby established based on an engineering and traffic investigation as prescribed by law.

**Section 3.**

Be if further ordained that the following speed zones are hereby established based on engineering and traffic investigations conducted by Georgia Department of Transportation as prescribed by law.

**Section 4.**

That all ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed.

**Section 5. 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 6. 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 1<sup>st</sup> day of August 2016.

Second reading and adoption, this 6<sup>th</sup> day of September 2016.

**CITY OF OXFORD**

\_\_\_\_\_  
**Jerry D. Roseberry, Mayor**

\_\_\_\_\_  
**Sarah T. Davis, Councilmember**

\_\_\_\_\_  
**David Eady, Councilmember**

**Signatures continued to next page**

\_\_\_\_\_  
**George R. Holt, Councilmember**

\_\_\_\_\_  
**Mike Ready, Councilmember**

\_\_\_\_\_  
**Melvin Baker, Councilmember**

\_\_\_\_\_  
**James H. Windham, Councilmember**

**ATTEST:**

\_\_\_\_\_  
**Lauran Willis, City Clerk**

**{The Seal of the City of Oxford, Georgia}**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**C. David Strickland, City Attorney**



West's Code of Georgia Annotated

Title 16. Crimes and Offenses (Refs & Annos)

Chapter 11. Offenses Against Public Order and Safety (Refs & Annos)

Article 2. Offenses Against Public Order

Ga. Code Ann., § 16-11-39.2

§ 16-11-39.2. Unlawful conduct during a 9-1-1 call

Effective: July 1, 2007

Currentness

(a) As used in this Code section, the term:

(1) "Call" shall have the same meaning as set forth in paragraph (2.1) of [Code Section 46-5-122](#).

(2) "False report" means the fabrication of an incident or crime or of material information relating to an incident or crime which the person making the report knows to be false at the time of making the report.

(3) "Harass" means to knowingly and willingly engage in any conduct directed toward a communications officer that is likely to impede or interfere with such communications officer's duties, that threatens such communication officer or any member of his or her family, or that places any member of the public served or to be served by 9-1-1 service in danger of injury or delayed assistance.

(4) "Harassing" means the willful use of opprobrious and abusive language which has no legitimate purpose in relation to imparting information relevant to an emergency call.

(5) "9-1-1" means a public safety answering point as defined in paragraph (15) of [Code Section 46-5-122](#). The term "9-1-1" also means the digits, address, Internet Protocol address, or other information used to access or initiate a call to a public safety answering point.

(b) A person commits the offense of unlawful conduct during a 9-1-1 telephone call if he or she:

(1) Without provocation, uses obscene, vulgar, or profane language with the intent to intimidate or harass a 9-1-1 communications officer;

**§ 16-11-39.2. Unlawful conduct during a 9-1-1 call, GA ST § 16-11-39.2**

---

(2) Calls or otherwise contacts 9-1-1, whether or not conversation ensues, for the purpose of annoying, harassing, or molesting a 9-1-1 communications officer or for the purpose of interfering with or disrupting emergency telephone service;

(3) Calls or otherwise contacts 9-1-1 and fails to hang up or disengage the connection for the intended purpose of interfering with or disrupting emergency service;

(4) Calls or otherwise contacts 9-1-1 with the intention to harass a communications officer; or

(5) Calls or otherwise contacts 9-1-1 and makes a false report.

(c) Any person who violates subsection (b) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500.00 or 12 months in jail, or both.

(d) Any violation of subsection (b) of this Code section shall be considered to have been committed in any county where such call to or contact with 9-1-1 originated or in any county where the call to or contact with 9-1-1 was received.

**Credits**

[Laws 2007, Act 211, § 1, eff. July 1, 2007.](#)

**Notes of Decisions (1)**

Ga. Code Ann., § 16-11-39.2, GA ST § 16-11-39.2

**The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.**

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End of Document

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**Chief W. D. Harvey**  
**110 W. Clark St.**  
**Oxford, GA 30054**



**Memorandum**

July 13, 2016

**RECEIVED**  
JUL 13 2016

**To: Mayor Roseberry, City Manager Schwarz**

**From: Chief WD Harvey**

**Subject: Misuse of the 911 System Ordinance**

We are having continuous problems of children, and at times adults, calling the 911 center when there is no emergency or need for police, fire, or EMS. When the radio operator calls back, there is no answer or they can hear children playing. The ages have ranged from 2-years old to adults and are currently at three main locations.

I have spoken with the guardians of the children, the children, and the adult violators repeatedly and advised of possible charges. When reading the state code for abuse of the 911 system, it does not address our issues but addresses issues such as being abusive to the operator or making threats.

I checked online with some cities which do have an ordinance to address these issues and put together a suggested ordinance for our city which would address the issues and be more effective in stopping the problem. (See Attached)

Any assistance in this matter would be greatly appreciated by the police department as well as the 911 system.

Sincerely,

A handwritten signature in black ink, appearing to read "W. David Harvey". The signature is written in a cursive style with a large, sweeping flourish at the end.

Chief W. David Harvey

DRAFT

(EXAMPLE)

• **Sec. 20-46. MISUSE OF THE 911 OR EMERGENCY CALL SYSTEM**

• **Purpose.**

The purpose of this chapter is to reduce the number of requests for emergency assistance when no emergency exists, to reduce similar misuse of the 911 emergency response system, and to reduce wasteful or misappropriate use of City resources.

• **Definitions.**

For purposes of this chapter, the following words shall be defined as set forth in this section:

A.

**"Person"** includes a natural person.

B.

**"Misuse of the 911 system"** is a request made through the 911 emergency telephone system for emergency response when the caller does not have an objective, factual basis to request emergency assistance, or a person calls the 911 system for any purpose other than to report an emergency or request services in response to an emergency. Misuse of the 911 system includes 911 hang-up calls.

C.

**"911 hang-up call"** means any telephone call made through the 911 emergency telephone system that results in a completed connection to the emergency communications center where the caller, unless physically unable to do so, either: (1) fails to remain on the line and advise a dispatcher of the nature of the call; or (2) fails to answer a call-back from the Police Department to verify the nature of the call; or (3) fails to permit an operator to interrupt if the line is busy on call-back.

D.

**"Emergency"** means any condition in which a reasonable person would believe police, fire, or medical emergency services will result in: (1) the saving of a life; (2) mitigation of property damage; (3) quicker apprehension of a criminal; (4) assistance with potentially life-threatening medical problems; (5) suppression of a fire; (6) rescue from a situation that could result in death or serious bodily injury; (7) prevention of or response to an imminent crime; (8) or similar situation in which immediate police, fire, or medical assistance is required.

• **Misuse of the 911 system—Designated.**

It shall be a violation of this chapter for any person to misuse the 911 system.

DRAFT

- **Enforcement.**

The following procedures shall be available in the event of any violation of this chapter:

- A. Notice of violation and order to cease;
- B. Issue of Citation.

- **Notice of violation and order to cease.**

- A.

When it is determined that a violation has occurred or is occurring, the Police Department will issue a "notice of violation and order to cease" to the person responsible for the violation. A "notice of violation and order to cease" shall include the following:

- 1. The name, telephone number and address of the person responsible for that violation; and
- 2. A description of the violation.

- **Violation penalty.**

- A.

When it is determined that a violation continues to occur, the Police Department may issue a citation for the violation.

- B.

Each separate violation is subject to a fine of \$250.00 for each offense.

- **Persons responsible.**

The person responsible for any violation of this chapter is the person who actually abuses the 911 system or allows the abuse of the system. In the absence of other evidence of the identity, the person to whom the telephone number is registered shall be responsible for any violation of this chapter.

- **Administration.**

The provisions of this chapter shall be administered by the Police Department.

**STRICKLAND & STRICKLAND, LLP**  
**ATTORNEYS AT LAW**

*CHARLES D. STRICKLAND*  
*C. DAVID STRICKLAND, P. C.*

*2115 USHER STREET, N.W.*  
*COVINGTON, GEORGIA 30014-2442*

*POST OFFICE BOX 70*  
*COVINGTON, GEORGIA 30015-0070*

*WILLIAM H. MATHIEU, P. C.*  
*(OF COUNSEL)*

*ESTABLISHED 1962*

*TELEPHONE (770) 786-5460*  
*FACSIMILE (770) 786-5499*

**Memorandum**

**Date: July 10, 2008**

**Name: Mayor Jerry Roseberry and Police Chief Clarke Miller**

**Company/Firm: City of Oxford**

**From: C. David Strickland**  
**[david.strickland@strickland-law.com](mailto:david.strickland@strickland-law.com)**

**In Re: Oxford Municipal Court Jurisdiction For State Law / Comparable Ordinance Offences of (1) Obstruction of Officer (Misd.); (2) Giving False Name; (3) Interfering with ("911") Calls for Emergency Assistance.**

**Summary:**

**May the City of Oxford Municipal Court exercise jurisdiction for (1) Obstruction of Officer (Misd.); (2) Giving False Name; and (3) Interfering with ("911") Calls for Emergency Assistance. If not, is the City preempted by State Law from creating ordinance(s) prohibiting the same or similar conduct?**

**Municipal Courts of the State do not have subject matter jurisdiction to try misdemeanor Obstruction of Officer cases, nor can they craft an ordinance prohibiting the same or similar conduct. As to prosecutions for Giving False Name, I could not locate a definitive case or statute on the matter authorizing municipal jurisdiction – I believe that the wisest course to follow is to transfer those cases, or take arrest warrants in Superior Court. Municipal Courts of the state also do not have demonstrated jurisdiction for Hindering or Interfering with ("911") Calls for Emergency Assistance.**

**Various Disorderly Conduct Statute and Ordinances also follow for possible consideration by the Mayor and City Council.**

**Discussion:**

**Municipal Courts of the State do not have subject matter jurisdiction to try misdemeanor Obstruction of Officer cases; this is well-settled, most specifically and directly in Evans vs. City of Tifton, 138 Ga. App. 374 (1976), wherein the Court of Appeals said that the state General Assembly had preempted the field as to obstruction of officer or resisting arrest, and a municipal ordinance making it an offense to resist or obstruct any policeman while in discharge of his duties was accordingly null and void.**

**As to prosecutions for Giving False Name, I could not locate a definitive case or statute on the matter authorizing municipal jurisdiction – I believe that the wisest course to follow is to transfer those cases to, or take arrest warrants in Superior Court. I do know that all municipal courts in which I'm the judge (Covington and Porterdale) and those others with which I'm familiar, take the position that one can't assume jurisdiction is valid for a non-traffic**

misdemeanor, such as Giving False Name.

Municipal Courts of the state also do not have demonstrated jurisdiction for Hindering or Interfering with ("911") Calls for Emergency Assistance – and, once again, none with which I have contact have taken the position that they may hear them.

As an aside, I did review a number of Disorderly Conduct Ordinances and the State Law Disorderly Conduct Statute; to aid in municipal prosecutions for disruptive criminal behavior, I believe that Oxford might benefit from and enhancement of its currently enacted Disorderly Conduct Ordinance.

For comparison purposes, Oxford's is as follows:

**Oxford Code of Ordinances, Sec. 31-201: Disorderly Conduct.**

It shall be unlawful for any person in the City to engage in any violent, tumultuous, obstreperous, or similar disorderly conduct tending to infringe on the peace and repose of the citizens of the City. Fighting between two (2) or more persons in which physical contact is made, except that which occurs at boxing or wrestling exhibitions duly authorized by the City, shall be deemed to be disorderly conduct within the meaning of this Section.

NOTE: The state's disorderly conduct statutes expressly provide that they are not to be construed as preventing municipalities from passing or enforcing their own laws punishing disorderly conduct within their respective jurisdictions. See O.C.G.A. §§ 16-11-34 and 16-11-41.

The State Law Offence reads as follows:

**OCGA Sec. 16-11-39:**

a) A person commits the offense of disorderly conduct when such person commits any of the following:

(1) Acts in a violent or tumultuous manner toward another person whereby such person is placed in reasonable fear of the safety of such person's life, limb, or health;

(2) Acts in a violent or tumultuous manner toward another person whereby the property of such person is placed in danger of being damaged or destroyed;

(3) Without provocation, uses to or of another person in such other person's presence, opprobrious or abusive words which by their very utterance tend to incite to an immediate breach of the peace, that is to say, words which as a matter of common knowledge and under ordinary circumstances will, when used to or of another person in such other person's presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words"; or

(4) Without provocation, uses obscene and vulgar or profane language in the presence of or by telephone to a person under the age of 14 years which threatens an immediate breach of the peace.

(b) Any person who commits the offense of disorderly conduct shall be guilty of a misdemeanor.

(c) This Code section shall not be deemed or construed to affect or limit the powers of counties or municipal corporations to adopt ordinances or resolutions prohibiting disorderly conduct within their respective limits.

Four additional Georgia Cities' sample Disorderly Conduct ordinances follow:

**1. Athens-Clarke County Code of Ordinances, Sec. 3-5-1: Disorderly Conduct.**

Any of the following behaviors or activities shall constitute the offense of disorderly conduct and shall be punished as provided by section 1-1-5:

- (a) Any person who, without authority of law, purposely or recklessly obstructs free pedestrian or vehicular access to any public school parking area or building designated for use of persons attending or participating in an athletic event in such a way as to deny access or in such a way as to create a hazard and fails or refuses to remove such obstruction after receiving a reasonable official request or order of a police officer or principal or his assistant or duly authorized agent of such public school that he or she do so;
- (b) Any person who shall act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health;
- (c) Any person who shall act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged; and
- (d) Any person who shall endanger the lawful pursuits of another by acts of violence, threats of violence or abusive conduct;
- (e) Any person who shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another;
- (f) Any person who shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl;
- (g) Any person who shall be found jostling or roughly crowding or pushing any person in any public place;
- (h) Any person who shall assemble or congregate with another or others for unlawful purposes as defined by the current ordinances for Athens-Clarke County;
- (i) Any person who shall assemble or congregate with another or others for the purpose or with the intent to engage in gaming;
- (j) Any person who shall go to or be at any public place with intent to obtain money from other person by illegal and fraudulent schemes, tricks, artifices or devices;
- (k) Any person who shall assemble or congregate with another or others for the purposes of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in Athens-Clarke County, or who shall aid or abet therein;
- (l) Any person who shall without provocation use to or of another, in his or her presence, "fighting words," that are opprobrious or abusive words which by their very utterance tend to incite an immediate breach of the peace or such words which, as a matter of common knowledge under ordinary circumstances, will, when used to or of another person in his or her presence, naturally tend to provoke violent resentment;
- (m) Any person operating a motor vehicle upon any parking facility, public or private, vehicle access or pedestrian walkway of any parking facility by sudden starting, stopping or turning so as to endanger the person or property of another;
- (n) Any person operating a motor vehicle upon any parking facility, public or private, vehicle access or pedestrian walkway of any parking facility at a speed great enough to endanger the person or property of another; or
- (o) Any person who aids or abets or encourages a minor to do any act which constitutes disorderly conduct or a breach of the peace.

## **2.. Covington Code of Ordinances, Sec. 9.16.020: Disorderly Conduct.**

A person commits the offense of disorderly conduct when such person commits any of the following:

- A. Acts in a violent or tumultuous manner toward another person whereby such person is placed in reasonable fear for the safety of such person's life, limb, or health;
- B. Acts in a violent or tumultuous manner toward another person whereby the property of such person is placed in danger of being damaged or destroyed;
- C. Without provocation, uses to or of another person in such other person's presence, opprobrious or abusive words which by their very utterance tend to incite to an immediate breach of the peace, that is to say, words which as a matter of common knowledge and under ordinary circumstances will, when used to or of another person in such other person's presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words";
- D. Without provocation, uses obscene and vulgar or profane language in the presence of or by telephone to a person under the age of fourteen (14) years which threatens an immediate breach of the peace; or



E. Recklessly or knowingly commits any act which may reasonably be expected to prevent or disrupt a lawful meeting, gathering or procession. (Ord. dated 2/18/02 § 2)

### 3. Peachtree City Code of Ordinances, Sec. 50-10: Disorderly Conduct.

It shall be unlawful for any person within the corporate limits of the city to engage in any conduct described in the following subsections; however, no person shall be convicted of any of the following sections upon a showing that the predominant intent of the conduct was to exercise a constitutional right:

- (1) To act in a violent or tumultuous manner toward another whereby any person is placed in fear of the safety of his life, limb or health;
- (2) To act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being damaged or destroyed;
- (3) To cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger life, limb, health or property of another;
- (4) To be in or about any place, where illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated, for the purpose of or intent to engage in the purchase, use, possession or consumption of illegal drugs, narcotics or alcoholic beverages;
- (5) To direct "fighting words" toward another, that is, words which by their very nature tend to incite a breach of the peace;
- (6) To interfere with, by acts of physical obstruction, another's pursuit of a lawful occupation;
- (7) To congregate with another or others on or about any public way so as to halt the flow of vehicular or pedestrian traffic, and to fail to clear that public way after being ordered to so do by a police officer or other lawful authority;
- (8) To disrupt, by actions which tend to incite a breach of the peace, the undisturbed activities of any house of worship, hospital or home for the elderly;
- (9) To throw bottles, paper, cans, glass, sticks, stones, missiles or any other debris on public property.

### 4. Savannah Code of Ordinances, Sec. 9-1002: Disorderly Conduct.

A. It shall be unlawful for any person within the corporate limits of the city to:

- (1) Act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health;
- (2) Act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
- (3) Frequent any public place with the intent to obtain money from other persons by illegal and fraudulent schemes, tricks, artifices or devices;
- (4) Assemble for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any persons, or to aid or abet therein;
- (5) Accost or force his company upon any female or attempt to pick up any female;
- (6) Frequent any place where illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated;
- (7) Defecate or urinate on streets, lanes or sidewalks or in the halls or elevators of public or commercial buildings or in any park or playground or on any property open to public view; or
- (8) Except where a sound equipment permit has been issued, operate or play a radio, amplifier, record player, tape player, musical instrument where the sound can be heard beyond the confines of the building, premises, or vehicle where such instrument is operated or played or beyond the immediate vicinity of a person playing such instrument or equipment on the streets, lanes, sidewalks, parks, playgrounds or other open spaces.
- (9) Perform any of the following acts in a public place:
  - (a) An act of sexual intercourse;
  - (b) A lewd exposure of the sexual organs;
  - (c) A lewd appearance in a state of partial or complete nudity; or
  - (d) A lewd caress or indecent fondling of the body of another person.

B. Every offense which is defined by the Official Code of Georgia as a crime thereunder and is punishable as a misdemeanor shall be and the same are hereby adopted as penal ordinances by the city.

**Enviroprobe, LLC**  
1931 Highway 11 S  
Covington, Georgia 30014  
email: [enviroprobe@bellsouth.net](mailto:enviroprobe@bellsouth.net)  
Phone: 404-557-9320

Mr. Jody Reid  
City of Oxford  
110 West Clark Street  
Oxford, Georgia 30054

July 15, 2016

Ref: **Demolition and Asbestos Abatement Cost Proposal**  
Old Store and Garage  
1002 Emory Street  
Oxford, Georgia 30054

Demolition and Asbestos Abatement Old Store & Garage, concrete and site work for the site referenced above.

Includes the following:

- Location of utilities
- Submit EPD demo notification
- Demolition of Old Store & Garage
- Equipment and labor
- Roll off Containers T&D
- Backfill and balanced with dirt on site
- Seed and straw site on completion **Total Demo \$13,750.00**
  
- Submit EPD asbestos notification & fees
- Abate on wall board & joint compound (garage) **Total Abate \$1,200.00**

**Total Project Cost \$14,950.00**

If you have any questions about the proposal please do not hesitate to call me at (404) 557-9320.  
Thank you for the opportunity of being of service to you.

Sincerely,



Roy Mote

# Ace/Kimble Services Inc.

**RECEIVED**  
JUL 28 2016

## PROPOSAL

*Septic Tank Pumping, Installation & Repair*

DATE: 7/28/2016

436 West Macedonia Church Road

Oxford, GA 30054

Email [ckimble89@yahoo.com](mailto:ckimble89@yahoo.com)

CUSTOMER
City of Oxford 1002 Hwy 81 Oxford, GA 30054

ARTICLE AND DESCRIPTION	PRICE
City of Oxford demolition & asbestos abatement @ 1002 Emory Street At old store and garage demo and remove wall board and joint compound in garage demo store and garage, remove concrete, balance dirt on site, seed and straw submit EPD demo notification	\$13,750.00
<b>TOTAL DUE</b>	<b>\$ 13,750.00</b>

If you have any questions about this proposal, please contact

Hule Stewart @ 678-725-7058

*Thank You For Your Business!*