

**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
REGULAR MEETING
MONDAY, NOVEMBER 3, 2014 – 7:00 P.M.
CITY HALL**

**MEMBERS PRESENT: JERRY D. ROSEBERRY, MAYOR; COUNCILMEMBERS: JIM WINDHAM; TERRY SMITH;
SARAH DAVIS; LYN PACE; GEORGE HOLT; COUNCILMEMBER DAVID EADY WAS NOT PRESENT**

**OTHERS PRESENT: Bob Schwartz, City Manager; Dave Harvey, Police Chief; David Strickland, City Attorney;
Mike and Cheryl Ready, Hoyt and LaTrelle Oliver, Anderson Wright, Vivian Harris, Kendra Mayfield, Penny
Windham, Jeff and Janice Wearing, Senator Ronald D. Ramsey and Son, Martha Freeman, Elizabeth Belcher,
Mr. & Mrs. Lewis Carr, James William, Nicholas Day, Melinda Day, Florian Pohl**

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

Pledge of allegiance

**A motion was made by Windham, seconded by Smith to accept the Agenda for the November 3, 2014 Mayor
and Council meeting. The vote was 7 in favor and 0 opposed. The motion was approved.** Attachment A

Mayor Roseberry announced Ms. Vivian Harris as the Honorary Councilmember for October as appointed by
Mayor Jerry Roseberry and presented her with a Proclamation as appreciation for her participation.

Attachment B

**A motion was made by Windham, seconded by Davis for the approval of the Minutes of the October 6, 2014
Regular Meeting. The vote was 7 in favor with 0 opposed. The motion was approved.** Attachment C

PLANNING COMMISSION RECOMMENDATIONS/PETITIONS

None

CITIZENS COMMENTS/CONCERNS

Jeff Wearing of 905 Wesley Street presented concerns regarding the city extending the walking trail next to their property by opening the George Street and Coke Street Rights of Way. He expressed an increasing problem with pedestrians coming onto their property drinking, smoking and invading their privacy as well as using their pier and swing. They feel by putting the trail on the George Street right of way would increase the problem and give the public access to four sides of their property. They questioned the liability, who would be responsible should someone get hurt on the trail or fall into the lake and drown? Who would be responsible? In the beginning of the construction of the Newton Trails and in the City of Oxford they donated land behind their home to help make the trail a reality. They did this so college students and the people of this community could enjoy the beautiful town of Oxford as they have enjoyed it. Mr. Wearing said they are in favor of adding to the trail south to the I-20 corridor where students and pedestrians walk across the new pedestrian bridge which will soon be built. He pointed out that there are other options available and by putting the trail along the George Street right of way would mean crossing wetlands and cutting many trees and crossing Turkey Creek which could cause environmental problems which would be more costly to the city. He asked for Council to vote no to placing the trail along the George Street right of way.

Mayor's Reports

Mayor Roseberry announced the Retreat on Friday went well and there will be a written report available at a later date.

Georgia Recreational Trails Grant Program -

Bob Schwartz, City Manager – presented to council a city property map depicting proposed sites with a list of trail grant options as discussed at the October 20th work session. He defined the options in relation to the sections of interest and cost for 10' wide trails. Section 1 - Coke Street North from Collingsworth to Richardson Street, Section 2 - Coke Street North to Collingsworth, Section 3 - Hull Street from W. Watson to Richardson and Section 4 George Street. The proposed options were either 1 & 2 at \$90,530, 1, 2 and 3 at \$193,164, option 1, 2 and 4 at \$164,818 or option 3 at \$112,634. After completion of the proposed options. Attachment D

A motion was made by Windham, seconded by Holt to accept the resolution for options 1, 2 and 4 as recommended by the trail committee. The floor was opened for discussion.

Councilmember Smith questioned if a survey had been done in relation to the George Street right of way as discussed at the work session to be able to designate section 4 as there had been some questions. City Manager Bob Schwartz added there was a survey being done on the boundaries of George Street and boundaries of Coke Street but not as part of this application. Smith said the concern is this is an area that has been a concern with the city for a long time. We have never know exactly where the Coke Street right of way is where the George Street right of way is and how it affects individual property in the area. Smith indicated since we don't know where the rights of way are and we don't know where the trail would be for sure we eliminate section 4 and he offered an amendment to the resolution.

A motion was made by Smith, seconded by Roseberry to amend the original motion to authorize the submission of a grant application to the Georgia Recreational Trails Program to consider options 1, 2 and 3 and omit option 4 until such time we can obtain valid information to ensure we are not infringing on personal property. The floor was opened for discussion. Attachment E

Mayor Roseberry expressed his concern based on information he received in an email from Eric Oliver and other research he felt reluctant in making a decision to include George Street at this time. He also called John Devine with North East Georgia Regional Council and questioned possible problems in carrying the trail across the Turkey Creek side. John Devine made reference of the possible interference of storm water drainage and the possibility of it being a wetland which requires clearance from the state. Mayor Roseberry expressed we should hold off on including George Street until further research can be done. Councilmember Windham questioned the concern and noted that the current trail went through Jim Waterson's back yard and J.P. Godfrey's yard and Vivian Harris's yard. Councilmember Holt added that Mr. Godfrey shares the same problem with the trail being next to his property. He has people come onto his property thinking it is a picnic area because he has such a nice yard. There being no further discussion Mayor Roseberry announced the vote is on the motion to amend the original motion to remove option 4 from the original motion.

Mayor Roseberry called for a vote on the amendment. The vote was 4 yes to accept with Windham and Holt voting no.

Mayor Roseberry called to go back to the original motion as amended. Jim Windham: I withdraw my motion. Mayor Roseberry, It's not yours to withdraw Councilor it's on the floor it belongs to the council. Mayor Roseberry - **All in favor of the motion say aye all opposed say no. The vote was 4 yes with Jim Windham**

and George Holt voting no. Everyone in favor of the amended motion raise your hand. Smith - the amended motion? Mayor Roseberry- as amended with your amendment.

Councilmember Holt asked if we could have one more question about the amended motion. He stated "I'm looking at the cost we went up to \$93,000 it's going to cost the city". On the motion that was made to accept 1, 2 and 3 that changed the dollar amount quite a bit. I not sure you all are familiar with that or not. Smith stated that would be a 36,000 dollar change. Holt said it went up to 93,000 dollars. Smith said I know but we would have paid 64,000 so it would be the difference between the two.

Mayor Roseberry we need to count the votes. **The vote was 4 to 2 to accept the amendment. Now we are going to vote on the original motion as amended. The original motion is approved 4 to 2 as amended.**

Smith stated once we get all the proper information and documentation we should bring that it back to council for discussion.

101 Longstreet Circle –

City Attorney, David Strickland informed council he has received word from the Realtor that has been in contact with the Lender and they wish to donate the property to the city. After discussion;

A motion was made by Smith, seconded by Holt to accept the property at 101 Longstreet Circle as donated providing there are no expenses to the city other than to clear the lot. The vote was 7 yes with 0 opposed. The motion was approved.

Tree Board Appointment -

Mayor Jerry Roseberry announced appointment of Ms. Andrea O'Toole to fill one of the two vacancies on the Tree Board.

A motion was made by Pace, seconded by Holt to accept the appointment of Ms. Andrea O'Toole to fill the vacancy on the Tree Board. The vote was 7 yes with 0 opposed. The motion was approved.

William Murdy Arboretum at George Street Park -

City Manager Bob Schwartz presented a Resolution at the recommendation of the Tree Board naming "The William Murdy Arboretum at George Street Park" in honor of former Dean and Mayor Bill Murdy.

A motion was made by Holt, seconded by Pace to accept the Resolution naming "The William Murdy Arboretum at George Street Park" in honor of former Dean and Mayor Bill Murdy. The vote was 6 yes with Jim Windham opposed. The motion was approved. Attachment F

The Tom Turner Building-

City Manager Bob Schwartz presented a recommendation for a Resolution to name the public works facility on Watson Street for Tom Turner. Mr. Turner made many contributions to the City of Oxford including invaluable help during the design and building of the public works facility.

A motion was made by Smith, seconded by Davis to accept the Resolution naming the maintenance facility on Watson Street as "The Tom Turner Building. The vote was 6 yes with Jim Windham voting no. The motion was approved. Attachment G

LMIG –

City Manager Bob Schwartz presented a recommendation for a Resolution to designate the streets to be resurfaced as part of the state DOT's LMIG program for this year.

A motion was made by Smith, seconded by Holt to accept the Resolution to authorize the submission of a Project to the State Department of Transportation for the FY2015 Local Maintenance and Improvement Grant Program designating Coke Street and Cindy Court to be resurfaced and deep patched at a total cost of \$23,800.00. The vote was 7 yes with 0 opposed. The motion was approved. Attachment H

Employee Appreciation Dinner-

With the approval of council the 2014 Employee Business Meeting and Dinner will be held at the Blue Willow Inn in Social Circle on Thursday, December 11th at 7PM.

A motion was made by Windham, seconded by Smith to approve the 2014 Employee Business meeting and Dinner at the Blue Willow Inn. The vote was 7 yes. The motion was approved.

Invoice Approval -

A motion was made by Smith, seconded by Holt to approve the invoices. The vote was 7 in favor with 0 opposed. The motion was approved.

INVOICES OVER \$1,000.00

| VENDOR | DESCRIPTION | AMOUNT |
|--|---|-----------|
| ROUTINE MONTHLY BILLS PAID | | |
| City of Oxford | Monthly Utility Billing of City owned properties Aug | 1,737.86 |
| City of Covington | Quarterly Sewer Charges 6/30/14 – 9/30/14 | 10,728.00 |
| GMA | GMEBS Retirement Fund (November) | 6,383.59 |
| Humana | Health Insurance (November) | 6,819.57 |
| MEAG | Annual SCADA ePrism | 1,440.00 |
| Newton County BOC | Cornish Creek Water Fund | 16,483.00 |
| Newton County Water & Sewer | Services from 6/27/14 – /30/2014 (missed on previous | 5,619.76 |
| Sophicity | IT in a Box | 1,402.87 |
| Southeastern Power Administration | SEPA energy cost | 3,243.75 |
| PURCHASES/CONTRACT LABOR | | |
| Allan Vigil Ford | New Police Vehicle | 23,688.00 |
| Bankcard Center | MEAG Conf. Hotel & meal expense/Domain Fees/New Shredder/Honorary Council Lunch etc. | 1,324.64 |
| Consolidated Copier Services | Annual Maintenance Fees & Services | 1,027.87 |
| Covington Ford | Utility Maintenance Vehicle | 20,752.00 |
| Designed Installations by Jim | Concrete repair at Trail @ Clark St. & Asphalt Patch at Catch basin on Whatcoat Street. | 1,900.00 |
| HD Supply | Materials for Science Building (College) | 3,983.34 |
| Keepers, Inc. | Police Department Vest and Shield | 1,350.00 |
| Kustom Signals, Inc. | Radar for New Police Vehicle | 1,572.00 |
| Latham Home Sanitation | Waste removal service (September) | 5,353.74 |
| Mid-State Striping, Inc. | LMIG Street Resurfacing/Striping | 2,064.30 |
| McNair McLemore Middlebrooks | CPA Professional Services Audit Prep | 4,005.00 |
| Premier Tree & Shrub Care | September Grounds Maintenance | 2,906.00 |
| Sound Associates | Speaker & Installation in Community Room | 1,034.82 |
| Woco Pep Oil, Inc. | Unleaded Fuel | 2,923.83 |
| APPROVED CONTRACTS | | |

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|----------------------------|--|-----------|
| Jordan Engineering | Storm Drainage/Boundary Survey N Emory Sidewalk | 3,925.00 |
| Anderson Grading | Moore Street Water System Improvement | 74,769.94 |
| Carter & Sloope | Engineering Service Asbury Water Syst. 6/15-8/17 | 7,139.05 |
| D & J Trenching | Storm Line Replacement @ Old City Hall | 4,650.00 |
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Executive Session -

A motion was made by Smith, seconded by Pace to go into an Executive Session for the purpose of discussion of personnel matters at 7:53 pm. The vote was 7 in favor, 0 opposed. The motion approved.

A motion was made by Windham, seconded by Holt to go out of the Executive Session at 8:09pm. The vote was 7 in favor, 0 opposed. The motion was approved.

A motion was made by Windham, seconded by Holt to reappoint the city clerk, the chief of police, the city judge, the city solicitor and city attorney beginning in January 2015. The vote was 7 in favor, 0 opposed. The motion was approved.

A motion was made by Smith, seconded by Windham to adjourn the regular session at 8:39 pm. The vote was 7 in favor, 0 opposed. The motion approved.

Respectfully submitted,

Lauran Willis
City Clerk