



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING  
WORK SESSION  
MONDAY, JULY 20, 2020 – 6:30 PM  
VIA TELECONFERENCE**

**ELECTED OFFICIALS PRESENT:**

David Eady – Mayor  
George Holt – Councilmember  
Jim Windham – Councilmember  
Jeff Wearing – Councilmember  
Lynn Bohanan – Councilmember  
Avis Williams – Councilmember  
Laura McCanless - Councilmember

**APPOINTED/STAFF PRESENT:**

Matt Pepper – City Manager  
Marcia Brooks – City Clerk/Treasurer  
Melissa Pratt – Associate Clerk  
Jody Reid – Utility Superintendent  
David Strickland – City Attorney

**OTHERS PRESENT:** Art Vinson, Melissa Hage

**Agenda (Attachment A)**

**1. Mayor's Announcements**

Governor Kemp has issued a new executive order concerning COVID-19 restrictions that supersedes all local government actions. The order seemed to target some of the recent adoptions of mask mandates by cities. Governor Kemp has sued the City of Atlanta regarding their COVID-19 ordinance, which is stricter than his most recent executive order. The Georgia Municipal Association conducted legal analysis of his previous orders and stated that he was overreaching his authority by trying to suspend local ordinances. In light of this analysis, Mayor Eady is recommending that the City of Oxford take the steps it feels are necessary to protect its staff, citizens and customers we serve.

Newton County has another record day for COVID-19 cases over the weekend of July 17-19. Mayor Eady is not sure of the situation at Piedmont Newton but the impact of COVID-19 is not over for Newton County.

One of Mayor Eady's focus areas as mayor is to build an anti-racist culture in Oxford. His goal is to confront systemic racism head on and understand how all people in Oxford experience racism. He intends to have conversations with people of color in Oxford to better understand this. He wants Oxford to be a joyful and fulfilling place for everyone and to break down some of the racial inequality that pervades our society. The idea of being anti-racist in an anti-racist culture is the right way to frame this conversation. He

recommends the book How to be an Anti-Racist, by Ibram X. Kendi. Copies of the book will be provided to all staff members and Councilmembers. Mayor Eady plans to have conversations with staff after reading the book as well as members of the community.

## 2. Discussion on Farmer's Market

Associate Clerk Melissa Pratt has been researching ideas to improve the city's Farmer's Market operations with the goal of developing policies that will help city staff manage it better. She first requested feedback from the Councilmembers of their vision for the Farmer's Market.

Mayor Eady advised he was on a committee a few years ago with Daniel Parsons from Oxford College. They came up with language for rules citizens would need to abide by if they participated, as well as standards for the market. They discussed renting tents to individuals as part of the permit process. More recently a suggestion has been made to build a pavilion to provide shaded space for the Farmer's Market during hot months as well as provide a space for other events.

Ms. Pratt advised that she had talked to Mr. Parsons, and he was excited that things would be moving again with the Farmer's Market. However, he was a bit frustrated in the past with the lack of organization. She believes it could be better structured now in a temporary fashion, and she feels the City of Oxford should be charging a fee to try to help ensure that quality products are sold at the Farmer's Market. She feels it is important to provide vendors with structure. If vendors are required to set up six days a week for full days, they probably will not be able to sustain that level of commitment. Limiting the Farmer's Market to perhaps one or two days a week may be more realistic.

Ms. Pratt has some items she can send out to the Council to look at. A farmer's market is considered an essential business. Inquiries have been made as to whether crafts and prepared foods can be considered. This seems like possibly a good time to get this going to help uplift the community and give community members a place to go to get some of the essentials they need.

Mayor Eady stated that one of the main things the committee wanted to focus on was to stay local. George Holt reminded the Council that the committee also discussed limiting products to food. Lynn Bohanan stated she would not have a problem with the Farmer's Market allowing vendors county-wide, and that it would still retain a sense of community. She does not have a problem with bringing in craft related products but believes there should be some type of juried application process to guarantee quality of vendor items being sold.

Ms. Pratt agreed with Ms. Bohanan due to the limited space available. There is room for 25-30 spots. Ms. Bohanan also mentioned that similar events limit the number of any specific type of vendor, so having vendors with different products would be good. However, the City may want to limit the number of vendors right now to encourage social distancing.

Laura McCanless stated she likes the idea of locally grown and locally made. As for charging a fee, she would just like to see some vendors on the ground before the City starts asking a fee. A fee could be a deterrent as the City is trying to launch the program.

Jeff Wearing would like to see an active Farmer's Market. He believes part of the problem in the past has been failure to market the program properly. He also does not think opening the market county-wide will get enough people participating. He recommends a tri-county or five-county area. He hopes Melissa is planning a marketing strategy. Ms. Pratt confirmed that she has many plans for marketing the city's Farmer's Market. Mr. Wearing also stated he believes it will need to be opened up to crafts such as bat boxes, bird houses, wind chimes, etc.

James Windham stated that the original idea was to call it a Farmer's Market but not restrict it to farm goods per se. It was also intended to allow vendors from the counties contiguous to Newton County. The only criteria were that products had to be grown or made by the vendor. They could not be bought and resold. He feels the biggest problem with the Farmer's Market is the city's response to it has been rather tepid. He agreed with Mr. Wearing that there has not been any marketing. He does not think the city can start the program by charging vendors.

There have been a couple of farmer's markets around the area in recent years that had some success, but it could not be sustained. He also thinks it is too early to talk about a juried selection process for vendors. He would like the City to work toward a pavilion that would allow some shade and air circulation. What he would like to see right now is a list of questions people are asking.

Mayor Eady stated that Barbara Cole has expressed some interest in volunteering to help with the city's Farmer's Market. She has some passed experience working with markets and festivals. Ms. Pratt will send some information to the Councilmembers very soon. Marcia Brooks stated that she would have Ms. Pratt included the relevant ordinances in effect now in the information she sends.

Mr. Windham stated that until a pavilion can be built, stricter rules are needed for how vendors present themselves on city property.

### **3. COVID-19 Update**

Matt Pepper advised that customers have been compliant with mask requirements and there have not been any belligerent customers refusing to accept one when it was provided to them. Administrative staff are maintaining a protocol of cleaning the lobby and touch spots (door handles, etc.) at least once per hour, wearing masks and social distancing. New signs for Asbury Street Park have been installed.

Mayor Eady asked if anyone has any questions or concerns about the formal mask mandate that has been proposed. None were raised and the Mayor and Council expressed their support for the measure.

Mr. Windham stated that if students do not return to school in person, the City of Oxford should consider implementing city-wide wi-fi. Mayor Eady indicated providing some form of internet accessibility, whether at City Hall or elsewhere in the city would be a possibility to address inequities within our community with access to technology needed to attend school online. Ms. McCanless pointed out that computers may not be available to all children in Newton County. Morgan County gives each student a Chromebook but she does not know if that is the case in Newton County. Morgan County set up hotspots throughout the county because of the many rural parts of the county. Mr. Windham mentioned that Lovern Hall may be a suitable place in Oxford, and Mayor Eady mentioned Mainstay Academy. The City will continue investigating ways it can help students in the community.

#### 4. **Penalties and Fees for Future Utility Bills**

Penalties and fees on utility bills have been waived since April. The Council will discuss whether to resume imposing penalties and fees. Staff have been working with individual customers on payment plans and trying to deal with customers who have always been late with their bills. Matt Pepper stated that staff are still reaching out to try to work with customers. It is getting to the point where we may want to take further action (disconnect services) on those individuals who have not made any payments recently and who have not responded to multiple attempts to contact them. The City has about 70 customers who are past due through May. Staff are documenting all attempts to contact customers and all communications with them.

Mr. Wearing suggested setting a time limit for customers to at least try to pay some amount. If they do not meet this requirement they should be shut off. His recommendation is to allow Mr. Pepper and Marcia Brooks to make the determinations about when these individuals' services should be disconnected.

Mr. Windham agreed but expressed that some type of criteria is needed for making the determination. Lynn Bohanan asked what is being offered for customers who are struggling. Matt Pepper answered that customers are being set up on payment plans that allow them a certain amount of time to get caught up. The time frame is determined on an individual basis according to the customer's circumstances and the amount of the balance.

Mayor Eady stated that the staff has been very compassionate in dealing with customers who are struggling and trying to work with them. The problem is with those who are not responding, and sometimes the only way to catch their attention is to disconnect services. The staff have experience with customers who are habitually late, and they are some of the same ones who are behind at this time. He does agree with Mr. Windham that clear criteria are needed and should be communicated to customers. If they refuse to communicate back, the next step should be to move forward with disconnections.

Mr. Windham asked for input from Mr. Pepper and Ms. Brooks since their staff are dealing each day with these customers.

Mr. Holt stated that if customers receive letters saying they are going to be cut off, and they do not respond, he has no problem with cutting them off. Mr. Wearing agreed.

Mr. Pepper stated that costs are starting to add up for the City to provide these services, and a plan is needed to manage those costs so that the City can continue to provide them effectively. It is a challenge to balance the community side with the financial side.

Mr. Windham asked Mr. Pepper to contact the City of Covington to ask about a letter they send out in their bills asking customers to make a contribution to help other customers in need. He would like to hear from them about how successful the program has been. Mayor Eady asked if the City's billing system is set up to accept additional payments from customers. Ms. Brooks stated she would have to research this question.

Ms. Brooks asked if the City would continue to waive penalties and fees. Mayor Eady stated that was his recommendation but asked for input from the Council. Mr. Windham asked if he could hear from staff as to what they are experiencing day in and day out. Ms. Brooks asked Ms. Pratt to speak to this question since she talks to many of the customers herself each day. Ms. Brooks stated that with the few customers she has talked to, she has found that they did not know the City was waiving penalties and fees.

Ms. Pratt stated that she experienced the same thing with customers. She knows that Covington is doing late fees and disconnects. She does not believe adding penalties and fees back is going to do much harm. There are definitely some customers who are communicating that they need more time, but the ones who are not responding are the more typical customers who do not make any attempt to communicate with the City until they are cut off, even during normal times.

Based on Ms. Pratt's comments, Mr. Windham recommended allowing Mr. Pepper, Ms. Brooks, and the City staff to determine whether customers should be disconnected. Ms. Bohanan asked whether a customer is "tagged" once they are cut off and cut back on – are they going to be allowed to make payment arrangements? Ms. Pratt stated there has not been a situation yet where the staff has said they are not going to help them. Even before COVID-19 there were customers who would get cut off, get cut back on, get behind again, get their warnings, and get cut off again. However, it is a small percentage of total customers. Also, staff can look back at past payment history to know which customers are habitually late with payments.

Ms. McCanless was impressed with the depth of thought that goes into determining how to treat each customer situation and agreed with Mr. Windham about leaving these decisions to staff discretion.

Ms. Pratt mentioned that there has been some confusion about whether the City could move forward on disconnects on those customers who are not communicating or who are not complying with the payment arrangement forms they have signed.

Mr. Wearing stated that he feels staff is very capable of determining which customers should be cut off. Mr. Windham agreed with giving staff the leeway to pull the trigger on situations where they think it is appropriate. Ms. Bohanan and Mr. Holt also agreed. Mayor

Eady advised Ms. Pratt to contact him if she has a question about a particular case. He also advised that staff is being empowered to determine when to disconnect services and when to apply penalties and fees. Documentation of contacts with customers and criteria used to make these decisions should be documented, and all customers should be treated equitably.

5. **2020 Millage Rate** (Attachment B)

The City of Oxford has proposed maintaining the millage rate of 6.62 in 2020, which constitutes a property tax increase of 10.56%. Mr. Pepper stated that the City of Oxford is required to publish its 5-Year history of tax levies and its recommended millage rate for 2020. For the past three years the City Council has maintained the millage rate of 6.62 rather than rolling back the millage rate.

Mayor Eady discussed a chart showing the downward trend in revenue from 2007 to 2014. Revenues began increasing in 2015 due to property reassessments, but they still have not reached the 2007 levels.

A second chart shows the increased use of the General Fund revenue to cover expenditures in the years of 2010-2018. Enterprise funds did a better job of covering expenditures in 2019 and 2020. Mayor Eady is recommending keeping the millage rate the same to avoid slipping back into the situation of 2010-2018.

Ms. McCanless feels this is a reasonable approach due to the uncertainty of revenue flows in FY2021. Ms. Williams, Ms. Bohanan, Mr. Wearing and Mr. Windham agreed. Mr. Windham expressed a desire to manipulate the tax digest to discourage absentee ownership.

If the Council accepts the recommendation of the Mayor and staff, three public hearings must be held. Two of the public hearings are scheduled for July 27, 2020 at 9:00 a.m. and 6:00 p.m. The other public hearing will be held prior to the Regular Council meeting on August 3, 2020 at 7:00 p.m.

6. **Discussion on Transportation-Special Purpose Local Option Sales Tax (T-SPLOST)** (Attachment C)

The City Council continued discussion on the intergovernmental agreement (IGA) between Newton County and the municipalities regarding the proposed T-SPOST referendum.

Mayor Eady provided two examples of possible ways to list the planned uses of the TSPLOST. The verbiage preferred by the Council will be added to the contract. Ms. McCanless commented that she prefers the verbiage that will give the City the most flexibility. All other Councilmembers agreed. Mayor Eady stated that Option 1 is the most flexible and it articulates the City's plans for meeting the requirements of the law without pigeonholing funds into certain specific categories. David Strickland had nothing further to add.

The language in Option 1 will be inserted in the agreement that will be voted on in the Special Session to follow.

**7. Emory Street Sidewalk Concept Study (Attachment D)**

This study utilized Capital Funds to undertake a study by Keck & Wood of sidewalk installation for the north part of Hwy. 81. Two options were provided in the study, a sidewalk on the east side and a sidewalk on the West side. A crosswalk is included with each option. Both options cost more than \$1,000,000. The West side is \$50,000 less than the east side.

Ms. McCanless stated that the east side option seems to aggregate people safely in conjunction with the original intent of the project more than the west side option does because more of the population is on the east side. All other Councilmembers agreed with Ms. McCanless.

Ms. Bohanan asked what the benefit of a crosswalk at mid-block would be. Mayor Eady stated that Collingsworth and Emory Way are not lined up, which complicates the navigation of pedestrians and cars. If the sidewalk is on the east side, the crosswalk would be at West Watson Street which would allow for accurate alignment with the street. The crosswalk would be similar to the one at Hamill Street, which is marked and has flashing lights that can be activated by a pedestrian. After crossing, additional pavement could be added to allow pedestrians to cross into the park.

Mr. Wearing asked how much it takes to maintain the grass in front of the street. He has observed some grass that has not been taken care of. He proposed creating a bike lane at the location of the crosswalk on the east side of Highway 81. Mayor Eady stated that could be something the City could do with some of the TSPLOST money. It would also need to be coordinated with the Georgia Department of Transportation (GDOT).

Mr. Wearing also asked if streetlamps would be on both sides of the street. Mayor Eady stated that streetlamps would be on the side the sidewalk is.

Keck & Wood recommended applying for federal funds for this project. Mayor Eady asked Mr. Pepper to research this possibility.

Mr. Windham commented that they will need a retaining wall at Mt. Zion. Mayor Eady also commented that engineering drawings will be required for the option chosen.

**8. Minor Variance Amendment Discussion**

The Planning Commission is recommending the inclusion of a minor variance provision within the city's zoning ordinance. Many individuals wishing to make changes on their property have minor issues such as not meeting setback requirements. Such issues preclude these individuals from starting the work before they obtain permission from the City Council for a variance. Such projects might implicate a building permit application but not implicate the whole variance process. However, the way the current ordinance is written, a variance request is required. The Planning Commission proposes taking on approval of some such minor projects.

Mr. Windham stated that the policy should be if the footprint is not being changed and the height of the building is not being increased, it should be grandfathered in. Mr. Holt, Mr. Wearing, Ms. Bohanan and Ms. Williams agreed.

Mayor Eady asked if Mr. Pepper could take this issue back to the Planning Commission and see if they could add some language to address this need. Mr. Pepper clarified that the request from the Planning Commission was not just to address accessory buildings. There have been times when, for example, a citizen wanted to replace the siding on their house, but because the house was non-comforming, a variance was required. There are some houses that predate zoning and making improvements to those houses requires going through the variance process. The proposal by the Planning Commission is trying to change this.

Mr. Windham stated he did not have a problem with those situations being approved by the Planning Commission either, as long as the footprint of the house was not changing, and the height of the building was not being increased. Ms. Bohanan agreed.

Mayor Eady asked Mr. Pepper to take this change back to the Planning Commission to amend their recommendation. David Strickland confirmed that initial acceptance of the ordinance change would require going through the administrative procedure for ordinance enactment.

Mr. Windham recommended that if the building was erected after the zoning ordinances were promulgated and does not meet zoning requirements, it cannot be grandfathered in.

Mr. Pepper requested clarification on what to take back to the Planning Commission. Mayor Eady advised that the change would be if the footprint of the building is not changing and the height is not being increased the Planning Commission can issue a minor variance.

#### **9. Executive Session Affidavit**

Our current Executive Session Affidavit requires the signatures of all Councilmembers when an Executive Session is held. Obtaining the signatures has been more difficult during the COVID-19 pandemic. Ms. Brooks has determined that all the signatures are not necessary, and that only the mayor's signature is needed. Changing the form would streamline the administrative process. Ms. Brooks has confirmed with David Strickland that the proposed affidavit meets legal requirements for closed meetings.

Mayor Eady adjourned the meeting at 8:09 p.m.

Respectfully Submitted,

Marcia Brooks  
City Clerk/Treasurer