



**OAK RIDGE TOWN COUNCIL SPECIAL MEETING
JULY 21, 2016 – 3:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Spencer Sullivan, Mayor
George McClellan, Mayor Pro Tem
Jim Kinneman
Mike Stone
Doug Nodine

Staff Present

Bruce Oakley, Town Manager
Sandra Smith, Town Clerk
Bill Bruce, Planning Director
Michael Thomas, Town Attorney

1. CALL TO ORDER

Mayor Spencer Sullivan called the meeting to order at 3:00 p.m.

2. APPROVE AGENDA

Councilman Jim Kinneman made a **motion** to approve the meeting agenda. **Mayor Pro Tem George McClellan** seconded the motion, and it was passed by unanimous vote (5-0).

3. SELECTION OF SIDEWALK CONTRACTOR

Town Manager Bruce Oakley said the Council had three bids to consider, and that one was significantly lower than the others. He asked for approval to negotiate with the lowest responsible bidder, and said he would also need a motion to approve funding for the project.

The Council discussed the difference between a licensed general contractor and an unlicensed one, and whether a regular (unlicensed) contractor could understand what the project entails. Town Attorney Michael Thomas said given the spread between the lowest bid and the other two, he would strongly advise Council or the Town Manager to inspect some of the lowest bidder's work. In response to a question about a warranty, Oakley said a general contractor will generally provide one, and he could require that in the contract. Councilman Mike Stone said when looking at the cost savings, the lowest bidder is responsible unless something suggests that he is not. Councilman Doug Nodine said he had worked with the lowest bidder on several projects over the last 25 years and he trusted him.

Mayor Pro Tem McClellan made a **motion** to enter into a contract with Grounds Management Services, Inc. for an amount not to exceed \$40,000 for construction of a sidewalk to connect Oak Ridge Commons shopping center to Linville Road. **Councilman Jim Kinneman** seconded the motion, and it was passed by unanimous vote (5-0).

Councilman Kinneman made a **motion** to approve funding not to exceed \$40,000 to build the sidewalk. **Councilman Nodine** seconded the motion, and it was passed by unanimous vote (5-0).

4. TOWN MANAGER'S REPORT

N.C. 68/Oak Ridge Road intersection improvements.

Oakley said the intersection is being studied by NCDOT, and there had been discussion of a possible roundabout.

After discussion, Council agreed by consensus to direct the Town Manager to get someone create a design for the intersection with money in the consulting budget.

Kanoy property.

Oakley said the Town had sent Kanoy Properties an initial Notice of Violation for activity not allowed under the zoning of property on Fogleman Road, behind the Bank of Oak Ridge corporate office. The property is zoned GO-M (General Office-Moderate Intensity). Thomas added that Kanoy Properties would have the right to appeal the civil penalty. He said the Town could also go to Superior Court and sue for injunctive relief, which could shut down the operation on the site immediately. Additional discussion ensued.

5. PUBLIC COMMENTS

Ron Simpson and James Mark Matics, who live off Fogleman Road, each spoke to the Council about the issues going on at the Kanoy Properties tract and how it is affecting them as neighbors. They urged the Council to consider injunctive relief and act quickly regarding the zoning violation.

6. COUNCIL COMMENTS

Mayor Pro Tem McClellan read a prepared statement, which is hereby incorporated by reference and made a part of the minutes.

7. CLOSED SESSION

Councilman Kinneman made a **motion** to enter into a closed session at 3:47 p.m. to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body pursuant to N.C.G.S. 143-318.11(a)(3). **Councilman Nodine** seconded the motion, and it was passed by unanimous vote (5-0).

Councilman Kinneman made a **motion** to return to open session at 4:14 p.m. **Mayor Pro Tem McClellan** seconded the motion, and it was passed by unanimous vote (5-0).

8. ADJOURNMENT

Councilman Kinneman made a **motion** to adjourn the meeting at 4:14 p.m. **Mayor Pro Tem McClellan** seconded the motion, and it was passed by unanimous vote (5-0).

Respectfully Submitted:



Sandra B. Smith, NCCMC CMC, Town Clerk



C. Spencer Sullivan, Mayor