



OAK RIDGE TOWN COUNCIL WORK SESSION
APRIL 5, 2012 - 5:30 P.M.
OAK RIDGE TOWN HALL

MINUTES

Members Present

Ray Combs, Mayor
Roger Howerton, Mayor Pro Tem
George McClellan
Spencer Sullivan
Danny Yanusz (arrived at 6:45 p.m.)

Staff Present

Bruce Oakley, Town Manager
J. Michael Thomas, Town Attorney
Sandra Smith, Town Clerk

At 5:30 p.m., the council hosted the We the People class and teacher Ray Parrish from Northwest High School in the council chambers. The team was practicing for the national competition.

At 6:30 p.m., the council met in the conference room.

Town Attorney Michael Thomas presented a memo and information for council's consideration in light of the Wally v. Kannapolis decision by the N.C. Supreme Court.

Thomas said he was concerned about the possible invalidation of zoning decisions based on noncompliance with the statement requirement that the decision is consistent with the comprehensive plan, is reasonable and is in the public interest. Thomas said the court had found that implicitly referring to the comprehensive plan is not enough; the record needs to include a motion that expressly says why the decision is consistent with the comprehensive plan and show why it is reasonable.

In the memo, Thomas recommended the council use suggested wording to in order to be compliant with NCGS 160A-383. The memo also included proposed wording for rejecting a rezoning.

A brief discussion by council and staff followed. Thomas said no action was needed at this time, but suggested council members take the memo and review it.

The work session ended at 6:51 p.m.

Respectfully Submitted:


Sandra B. Smith, Town Clerk


Ray Combs, Mayor