



OAK RIDGE TOWN COUNCIL MEETING
NOVEMBER 7, 2013 - 7:00 P.M.
OAK RIDGE TOWN HALL

MINUTES

Members Present

Ray Combs, Mayor
Roger Howerton, Mayor Pro Tem
Danny Yanusz
George McClellan
Spencer Sullivan

Staff Present

Sandra Smith, Town Clerk
Bruce Oakley, Town Manager
J. Michael Thomas, Town Attorney
Sam Anders, Finance Officer

1. CALL TO ORDER

Mayor Ray Combs called the meeting to order at 7:01 p.m.

A. Invocation

B. Pledge of Allegiance

2. APPROVE AGENDA

Councilman Danny Yanusz made a motion to approve the November 7, 2013, meeting agenda. Mayor Pro Tem Roger Howerton seconded the motion, and it was passed unanimously (5-0).

3. APPROVE MINUTES OF OCTOBER 3, 2013, MEETING

Councilman Spencer Sullivan made a motion to approve the October 3, 2013, meeting minutes. Councilman George McClellan seconded the motion, and it was passed unanimously (5-0).

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

None

5. TOWN MANAGER'S REPORT

Town Manager Bruce Oakley presented:

- The 2014 meeting schedule and 2014 holiday schedule

Councilman Yanusz made a **motion** to adopt the proposed 2014 meeting schedule, which is hereby incorporated by reference and made a part of the minutes. **Mayor Pro Tem Howerton** seconded the motion, and it was passed unanimously (5-0).

Councilman McClellan made a **motion** to adopt the proposed 2014 holiday schedule, which is hereby incorporated by reference and made a part of the minutes. **Councilman Yanusz** seconded the motion, and it was passed unanimously (5-0).

- **Board reappointments**

- Patti Paslaru as the Town's representative on the Triad Municipal ABC Board
- Ron Simpson to the Planning & Zoning Board
- Bobbi Baker, who was also moved from an alternate position on the Planning & Zoning Board to a regular member

Councilman Sullivan made a **motion** to approve the reappointments as presented. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

- **Board appointments**

- Brian Eichlin as an alternate to the Planning & Zoning Board
- Tammy Gardner be recommended to the County Commissioners as the Planning & Zoning Board's ETJ (North) representative
- John Thomas, who was moved from an alternate position on Parks & Recreation Commission to a regular member

Mayor Pro Tem Howerton made a **motion** to approve the appointments as presented. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

- **Resolution granting Aqua NC a 20-year franchise to bring water to the Cadet Drive neighborhood**

Mayor Pro Tem Howerton said because he lived on Cadet Drive and was affected, he felt there was a conflict of interest making him ineligible to vote. Council agreed by consensus.

In response to a question from Councilman Yanusz, Town Attorney Michael Thomas said that Council could grant a franchise agreement for any period up to 60 years, and that 20 years is what staff had recommended.

Councilman Sullivan made a **motion** to approve the resolution, which is hereby incorporated by reference and made a part of the minutes. **Councilman McClellan** seconded the motion, and it was approved 4-0 (Howerton excused from voting).

- **Land Use Plan/Ordinance rewrite update.** The Planning & Zoning Board discussed the issue at its October meeting. Oakley said the first step would be to appoint a steering committee to look at the Land Use Plan, and more information would be forthcoming.

6. **NEW BUSINESS**

Presentation of Auditor's Report

John Frank of Dixon Hughes Goodman LLP gave a presentation of the 2012-13 fiscal year financial audit. The firm issued a clean audit opinion and reported finding no material weaknesses or significant internal controls issues. The most significant item of note was the \$1 million early paydown on the park property loan. Property tax collections were better than experienced in similar size municipalities, and Frank said there were no significant deficiencies to report as a result of the audit.

Councilman McClellan made a **motion** to accept the audit as presented. **Councilman Sullivan** seconded the motion, and it was passed unanimously (5-0).

7. CITIZEN COMMENTS

- Sam Anders announced that a Dewey's Bakery store would be open in Oak Ridge Commons November 18-December 23, with Moravia Moravian Church receiving a percentage of proceeds for operating the store.

8. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders reported the following activities:

- A wire transfer from Guilford County for \$21,076.68 for property tax collection as of October 31, 2013.
- Monthly property tax receipts and sales tax disbursements were received, as were other park revenue, planning fees, interest, and ABC revenue sharing.
- Investments have been renewed and updated, and accounts were opened at Bank of North Carolina.
- The audit was completed.

Mayor Pro Tem Howerton made a **motion** to approve the financial report. **Councilman Sullivan** seconded the motion, and it was passed unanimously (5-0).

9. COMMUNITY UPDATES

A. Planning and Zoning Board

Chairman Doug Nodine reported the Board met and approved a subdivision plan, recommended appointments, and began discussion of the Land Use Plan review and revision.

B. Board of Adjustment

No meeting, no report

C. Fire Department

Fire Chief Steve Simmons gave a consolidated report for the months of July-October. During that time, the department received 219 calls (107 medical and

112 fire/service-related), received 755.5 hours of training, installed 15 car seats and attended four public education events, while maintaining a response rate of 4.75 minutes. Simmons issued a reminder to change smoke detector batteries and said to call the department if their help is needed.

D. Historic Preservation Commission

Chairman Ann Schneider reported the Commission is busy planning installation and dedications for three historic markers; she issued an invitation for the dedication of the marker at the Old Mill of Guilford on November 23 at 4 p.m. The marker is expected to be dedicated at St. James AME Church in December, and the owners of the Stafford-Benbow House have decided to wait until spring.

E. Parks and Recreation Commission

Chair Bill Edwards reported:

- The asphalt walking path connecting the parking lot to the dog park and bike trail has been completed.
- Fencing is being installed at the dog park, and the facility is expected to be completed and open in the next month.
- The Commission voted on five key areas to concentrate on for Phase 2 of park construction including an additional restroom near the playground, an auxiliary playground, tennis courts, an amphitheater/performance stage, and additional parking in the Redmon Field area. The firm of Stewart Inc. has been chosen to design the master plan, and the Town will be applying for another matching PARTF grant. An open house to answer questions and gather public input will be held 6-7 p.m. on December 5 at Town Hall.

Edwards also presented:

- **Green space/trail permit fee.** After asking several questions, Council directed Edwards to take the issue back to the Commission for further discussion about creating a tiered system so that various size groups or those only using the park for a portion of a year would be charged different rates.
- **ORYA usage agreement.** Edwards said the agreement with Oak Ridge Youth Association for using the park was essentially the same as last year's.

Councilman McClellan made a motion to approve the ORYA usage agreement as presented. **Councilman Sullivan** seconded the motion, and it was passed unanimously (5-0).

F. Finance Committee

No meeting, no report

10. CITIZEN COMMENTS

- Phil McNamara encouraged Council to prioritize funding expenditures for items that are truly needed. He said municipal water should be a high-priority item, and things

like sidewalks should be a higher priority than a dog park or additional park amenities. As a member of the construction industry, he urged Council to consider local engineers and architects as well as underprivileged and overlooked groups.

Mayor Combs responded that Council members agreed that water was a top priority and were frustrated because they had come extremely close to creating a system until they hit a wall with Aqua NC.

- Mike Stone said he was honored, humbled and appreciative as a result of the election process and the votes for Town Council that he received.
- Jim Kinneman echoed Stone's sentiments, agreeing that the candidates were not "running against" anyone.
- Patti Stokes announced the Merchants Association of Oak Ridge would host a Christmas Tree Lighting on Sunday, December 8, at Oak Ridge Military Academy, at 6 p.m.

11. COUNCIL COMMENTS

- **Mayor Pro Tem Howerton** said, as he had commented to the Northwest Observer, that one of the most disheartening events he had experienced while serving on Town Council was hearing that the contract to get water to Oak Ridge, which was within a week of being signed, had fallen through. Although he would be giving up his seat on Council, Howerton said he would continue to work to see a municipal water system in the Town.
- **Councilman Yanusz** said he was disappointed that he had not been re-elected, but that he would continue to serve in some way. He said there was lots to be done, and that Howerton had inspired him. Yanusz said he was also disappointed about how the water situation had turned out.
- **Councilman McClellan** said it had been an honor to serve with both Howerton and Yanusz, and many things had been accomplished this year. He said he looked forward to serving with the new Council members, and he felt the best days were ahead.
- **Councilman Sullivan** thanked Bill Edwards and the Parks & Recreation Commission as well as the Planning & Zoning Board. He said McNamara had hit a nerve when he started talking about water, and that he had served as the last chairman of the Water Committee before an impasse was reached with Aqua NC. He joined Combs, Howerton and Yanusz in expressing his frustration at the impasse reached with Aqua, and said he believes a municipal water system remains a top priority for the Town.

12. ADJOURNMENT

Councilman Yanusz made a **motion** to adjourn the meeting at 8:07 p.m. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:



Sandra B. Smith, Town Clerk



Ray Combs, Mayor