OAK RIDGE TOWN COUNCIL MEETING
FEBRUARY 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 6:59 p.m.

- **Invocation**

  Mayor Pro Tem Howerton led meeting attendees in a moment of silence.

- **Pledge of Allegiance**

2. APPROVE AGENDA

Councilman Danny Yanusz made a **motion** to approve the February 7, 2013, meeting agenda. **Councilman George McClellan** seconded the motion, and it was passed unanimously (5-0).

3. APPROVE MINUTES OF JANUARY 3, 2013, MEETING

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

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

None

5. TOWN MANAGER'S REPORT

Town Manager Bruce Oakley reported:

- Resolutions needed to be passed to add two roads to the N.C. State Maintenance System.

Mayor Pro Tem Howerton made a **motion** to approve resolutions to add Alice Player Drive and Starfire Court to the N.C. State Maintenance System. **Councilman Yanusz** seconded the motion, and it was passed unanimously (5-0).

- Several Board and Committee members' terms had expired and those volunteers needed to be reappointed.

Councilman McClellan made a **motion** to reappoint Debbie Shoenfeld and Mac McAtee to the Historic Preservation Commission, Elaine Papp to the Planning and Zoning Board and Alex Papp to the Board of Adjustment. **Councilman Sullivan** seconded the motion, and it was passed unanimously (5-0).

Because the town attorney was not yet present, Combs suggested agenda item 9.B., Community Update from the Fire Department, be heard at that time. Council agreed by consensus.

COMMUNITY UPDATES

B. Fire Department

Fire Chief Steve Simmons reported that the department:

- Responded to 68 calls in January; 26 were medical, and 42 were fire/service related
- Underwent 239 hours of training, including a weekend seminar in Wilmington that was attended by five department members
- Installed six car seats
- Attended one public service event
- Maintained an average response time of 4 minutes

Simmons said he was surprised that the response time remained so high because 28 of the calls received by the department were on the night of a snow storm. Most of the calls had to do with tree limbs in the power lines and trees across the roads. He commended Oak Ridge residents for either driving carefully or staying home during the storm.

Simmons said on April 24 the department will participate in the VIP for a VIP (Vehicle Injury Prevention for a Very Important Person) program at Northwest High School. The program will include a simulated car crash, extrication from the vehicle and administering CPR. The purpose is to teach young drivers how quickly driving situations can change and the impact of a fatal accident. He invited Council to attend the program, with more information forthcoming.

6. PUBLIC HEARINGS

A. Voluntary Annexation. Council considered the voluntary annexation of areas within Oak Ridge's Extraterritorial Jurisdiction for which the Town of Oak Ridge has received petitions for voluntary annexation from all the owners therein under NCGC 160A-31 and as authorized by the North Carolina General Assembly.

Oakley explained that a public hearing had been held for voluntarily annexing several properties at the Council's meeting in January; at that time, clarification was

needed on two additional properties. A public hearing would be held on those properties at this time, after which the Council could pass an ordinance effective June 30, 2013, which would bring the three additional contiguous areas into the Town.

Combs opened the public hearing. No one spoke either in support of or opposition to the voluntary annexation.

Councilman McClellan made a motion to voluntarily annex into the Town the three areas shown on the attached map, which is hereby incorporated by reference and made part of the minutes. **Councilman Sullivan** seconded the motion, and it was approved unanimously (5-0).

Town Attorney Michael Thomas reminded Council that it needed to formally adopt the voluntary annexation ordinance. **Councilman Sullivan** made a motion to adopt the ordinance voluntarily annexing the three aforementioned areas into the Town, a copy of which ordinance is hereby incorporated by reference and made part of the minutes. **Mayor Pro Tem Howerton** seconded the motion, and it was approved unanimously (5-0).

B. **Loan Refinancing.** The Town Council for the Town of Oak Ridge will hold a public hearing to authorize the filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160A-20 to refinance the existing loan on the town park.

Combs explained that as a result of a proposal by the Finance Committee and with the help of the Finance Officer, the Council was being asked to approve a resolution to refinance the town park property with BB&T and to pay down a portion of the existing note.

Finance Committee Chairman John Jenkins explained that Finance Officer Sam Anders had negotiated a deal with BB&T that would allow the Town to not only refinance the loan for the park property, but to make a one-time payment of $1 million to pay down the loan. Jenkins said if approved the Town would keep the same loan terms, but the amount of the annual payment would be lowered, allowing the Town more flexibility to use that money for other purposes. Combs added that the refinancing would reduce the interest rate from 3.19 percent to 2.41 percent, and that the current loan agreement did not allow the Town to make any partial payments; the Town's fund balance currently stands at $3.2 million, and the payment would leave $2.2 million after the one-time, $1 million park loan payment was made. Combs then opened the public hearing

Proponents:
Patti Paslaru, a member of the Finance Committee, spoke in favor. Paslaru said with the Town's strong financial position and because interest rates on investments are low, she felt it was fiscally responsible to reduce the park debt.

Mike Stone also spoke in favor.

Opponents:
None

Council members noted that the refinancing would save the taxpayers in excess of $319,000 in interest payments, and commended Anders for putting the plan together.

Councilman Sullivan made a motion to adopt the resolution to refinance the park property, a copy of which is hereby incorporated by reference and made part of the minutes. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

7. CITIZEN COMMENTS

- Mike Stone spoke about Duke Energy's trimming of trees in the area and urged the Council to take action to prevent the "massacre" of trees in Oak Ridge. Combs urged Stone to become involved in the issue, perhaps by working with the Planning & Zoning Board (of which Stone is a member) to compare the tree ordinances of other cities with those of Oak Ridge to see if the Town's ordinances might be strengthened. The issue might also be discussed with the Historic Preservation Commission for input. Thomas suggested the Planning & Zoning Board develop a comprehensive set of recommendations regarding the issue; staff would then work to turn those recommendations into an ordinance, which would then go back before the Board for a recommendation to Town Council. Combs stated that Town staff had been working diligently with Duke Energy and that the issue has not been ignored by the Town.

8. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented:

- The Town's total assets are $3.2 million, and total net assets are about $3.219 million. The fund balance went down primarily because of the annual installment for the park loan.
- A check for about $44,000 had been received for fourth quarter ABC store profits, which is more than the Town received the first year the ABC store was open.
- He and Oakley have recently been working together to forecast how the budget year will end and to begin working on next year's budget figures.

9. COMMUNITY UPDATES

A. Pedestrian Plan

Oakley reported that the Committee met in January and is scheduled to meet again February 19. Hopefully they will be ready to make a presentation to the Council in March.

C. Historic Preservation Commission

Ann Schneider took the podium:

- She thanked the Town Council for reappointing Mac McAtee and Debbie Shoenfeld to the HPC. Steven Lantz's term ended and he had decided to

take a break from Town service; Schneider thanked him for his leadership and years of service. Pearse Edwards had recently resigned as an alternate because he is moving from Oak Ridge.

- Schneider reported that she was elected as chair and Shoenfeld as vice chair in January.
- She reported that one COA application to remove two trees was approved the previous month.
- HPC is reviewing its budget and preparing a budget request for the 2013-14 fiscal year.
- **Presentation of Historic Marker Plan.** Schneider presented the Commission's five-year plan for historic markers and explained how the Commission had developed criteria for which historic properties would be marked. She explained that since preservation of properties might change, the plan could fluctuate to accommodate those changes.

Councilman McClellan asked how many properties HPC hoped to mark this fiscal year, and Schneider said two or three. Councilman Sullivan asked if the properties for markers had been prioritized, and Schneider said the prioritization would be done at the next HPC meeting and annually after that. Councilman McClellan asked which properties were being considered for this year; Schneider said the Commission is currently researching St. James AME Church, the Old Mill of Guilford and the Robert Stafford House.

Shoenfeld added that while only a small amount of information can be placed on a marker, much more detailed information is being gathered and plans are to put it on the Town website.

D. Parks & Recreation Commission

Bill Edwards reported:

- The Commission is busy finalizing infrastructure proposals for the upcoming year's budget, with various options being discussed.
- Due to popular demand, trails are being expanded to include the area behind Shelter 1.
- Two Scout project presentations were made at the last Commission meeting.
- RidgeFest is being planned for May 31 and June 1.
- The dog park subcommittee has met twice, and good progress is being made on the proposed project.
- A charity event to benefit local resident and Northwest High School teacher Ray Parrish will be held in the park on March 9.
- **Proposed park equipment replacement purchase.** The used reel mower purchased several years ago is in disrepair and needs a minimum of $5,000 in repairs. Reel mowers are expensive, specialized pieces of equipment. A new one can be purchased for about $44,000 and, after reviewing all options, an outright purchase seems to be the best choice.
    - Finance Committee Chairman John Jenkins said the issue had been brought before the committee at its last meeting; in reviewing this fiscal year's budget, it appears there will be a surplus which could be used to purchase the mower. In addition, the park brings in roughly $40,000 in revenue each year. Of the

options available, an outright purchase was recommended by the committee.

Mayor Combs asked if the current mower had been purchased used, and Jenkins said yes. Jenkins added that he understood it would cost $5,000 just to get the current mower to the point where it could be determined if more repairs were needed. Combs asked if a budget amendment would be required, and Jenkins said no.

Howerton asked Edwards if the current reel mower is a 2001 model, and Edwards said that sounded about right. Howerton said the average life for the type of equipment described is 10 to 12 years at most. Because it would cost $5,000 just to make the current needed repairs and more might be needed, he thought it would be wise to purchase a new reel mower, which would be under warranty. Edwards said the current reel mower could be sold as-is, so the town might receive some benefit.

Because the mower being proposed for purchase was described as "hard to come by," Yanusz asked if, for example, a $20,000 reel mower might be more readily available. Edwards said no, because it is a specialized piece of equipment that cuts Bermuda grass when it gets ½-inch tall and is usually used at golf courses.

McClellan asked if the new mower would come with a warranty, and Edwards said yes.

Mayor Combs made a motion to allocate $44,000 a purchase a new reel mower. **Councilman Yanusz** seconded the motion, and it was approved unanimously (5-0).

Parks & Recreation Commission member Marcy Cook addressed Council on a concept for the park which will include restoring the existing barn on the property; constructing a natural playground area and adjacent mini trail, fishing terrace and future nature center; and obtaining National Wildlife Certification.

E. Planning & Zoning Board

No meeting, no report

F. Board of Adjustment

Oakley reported that a brief meeting was held on January 10 to approve the minutes of the December meeting and elect the chair and vice chair.

G. Finance

John Jenkins reported the Committee would meet February 19 at 6 p.m. at Town Hall. At its first meeting on February 5, the Committee reviewed the projected results for this fiscal year's budget. It is now in the process of obtaining budget requests from other boards/committees for next fiscal year.

10. CITIZEN COMMENTS

None

11. COUNCIL COMMENTS

- **Mayor Pro Tem Howerton** complimented the committees and said he was proud of how Oak Ridge had developed over the years.

- **Councilman Yanusz** said he echoed Howerton's comments, and said he had learned information from the Historic Preservation Commission's report, including that there used to be a jail in Oak Ridge.

- **Councilman McClellan** thanked those involved in the Town's finances, saying the fact that the Town was expecting a $40,000-50,000 surplus this year was a testament to good, conservative government. McClellan said being conservative doesn't mean you have to stand still.

- **Councilman Sullivan** agreed with Howerton, saying he was amazed by the work of committee members. He said several High Point University students that went on a mission trip with his church had commented on the beauty of Oak Ridge.

- **Mayor Combs** said, "Ditto."

12. ADJOURNMENT

Mayor Pro Tem Howerton made a **motion** to adjourn the meeting at 8:08 p.m. **Councilman Sullivan** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, Town Clerk

Ray Combs, Mayor