



OAK RIDGE TOWN COUNCIL MEETING  
MARCH 5, 2015 – 7:00 P.M.  
OAK RIDGE TOWN HALL

MINUTES

**Members Present**

Ray Combs, Mayor  
Spencer Sullivan, Mayor Pro Tem  
George McClellan  
Jim Kinneman

**Staff Present**

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

**Members Absent**

Mike Stone

**Staff Absent**

Bill Bruce, Planning Director

**1. CALL TO ORDER**

Mayor Ray Combs called the meeting to order at 7:02 p.m.

**A. Invocation**

**B. Pledge of Allegiance**

**2. APPROVE AGENDA**

**Councilman Jim Kinneman** made a **motion** to approve the meeting agenda. **Mayor Pro Tem Spencer Sullivan** seconded the motion, and it was passed unanimously (4-0).

**3. APPROVE MINUTES OF FEBRUARY 5, 2015, MEETING**

**Mayor Pro Tem Sullivan** made a **motion** to approve the meeting minutes. **Councilman Kinneman** seconded the motion, and it was passed unanimously (4-0).

**4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Cadet Lt. Nathan Freeman of Oak Ridge Military Academy announced the U.S. Navy Sea Chanters would perform a concert for the community on March 11, a rededication ceremony for Linville Chapel would be held on March 31, an Easter eve candlelight vigil was planned for 11 p.m. to 1 a.m., and the school's 163<sup>rd</sup> graduation is scheduled for May 23, with 25 cadets graduating.

**5. TOWN MANAGER'S REPORT**

- A. Committee appointments.** Town Manager Bruce Oakley recommended that the Council appoint Beth Walker, who has been serving as a regular member of the

Board of Adjustment, be appointed as an alternate and that Dede Cunningham, who is a BOA alternate, replace Walker as a regular member.

**Mayor Pro Tem Sullivan** made a **motion** to approve the appointments as recommended. **Councilman McClellan** seconded the motion, and it was passed unanimously (4-0).

Oakley then recommended that the Council retroactively reappoint Barry Knight to the Parks & Recreation Commission. Knight has served on the Commission for some time, and his appointment had expired.

**Councilman McClellan** made a **motion** to approve Barry Knight's reappointment as recommended. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

**B. Urban Archery Season.** Oakley said the Council has approved this special bow-hunting season for the last several years. In order for it to be allowed in Oak Ridge in 2016, the Council would need to approve it so Oakley could notify the N.C. Wildlife Resources Division of the Town's desire to participate.

**Councilman McClellan** made a **motion** to approve Urban Archery Season in Oak Ridge in 2016. **Councilman Kinneman** seconded the motion, and it was passed unanimously (4-0).

## 6. PUBLIC HEARING

**REZONING CASE # RZ-15-01: HI to CU-LI.** The property is located at 2900 Oak Ridge Road, in Oak Ridge Township. It is Guilford County Tax Parcel 0163026, consists of approximately 2.25 acres, and is owned by Truliant Federal Credit Union. The property is located in the Scenic Corridor Overlay Zone and the Greensboro (WS-III) Watershed Overlay Zone.

Mayor Combs announced that because of the weather, the Planning & Zoning Board had been unable to hold its meeting to hear this case. Because a recommendation from the Board is required, Combs said it would not be appropriate for the Council to hear the case until after the Board had done so.

**Councilman Kinneman** made a **motion** to continue the rezoning public hearing. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

## 7. OLD BUSINESS

- **Solid waste franchise ordinance (second reading).** Oakley reminded the Council that this item was needed to renew the solid waste franchise ordinance and that this was the required second and final reading.

**Councilman Kinneman** made a **motion** to approve the ordinance. **Councilman McClellan** seconded the motion, and it was passed unanimously (4-0).

## 8. NEW BUSINESS

**A. Consider establishing a water ordinance**

Mayor Combs said talk about water had long been a focus of the Town Council and that the members saw a need to start somewhere, no matter how small. Adopting a water ordinance would get that much out of the way so that, when the time comes, the Town will be ready.

Councilman McClellan said the Council's decision on this ordinance could potentially be a momentous. He said all citizens have the right to clean, dependable water, and it has always been a goal of the Council to establish a water system. Decisions made now can be tweaked along the way, but this is a beginning, McClellan said. He asked if the Council would be responsible for setting water rates down the road, and Combs said yes. McClellan said the question had come out about whether residents would have a choice whether to hook on to the system; he said citizens always have a choice, but that any water system created had to be a financially viable system. McClellan said he understood there may be an accessibility fee if a resident decides not to tap on to the system. Combs said that decision was so far down the road that it wasn't possible to know at this point, and McClellan said that was also a decision that could be tweaked.

Mayor Pro Tem Sullivan said he had a long-term interest in this ordinance, and his personal interest began when he started serving on the Water Committee about 10 years ago. He explained that several years ago, the Town had signed an agreement with Aqua America to provide water to the Town, but a few years later the company decided not to honor its commitment. During the economic downturn a few years ago, Spencer said the Town had applied for a stimulus fund grant, but was not considered. When he proposed establishing a water ordinance a few months ago, he said he did so because he thought the Town needed to be proactive, and this ordinance will accomplish that. He said there are several other issues that will need to be decided – the source of water, how to best get it to the Town, how to distribute the water, and how to pay for the system – but this ordinance would provide the necessary framework. He said recently President Obama had discussed proposing a \$478 billion public works project, and the Governor discussed a \$12 billion roads program along with a \$1.4 billion public works program. If they pass, Oak Ridge might be at the point where it is ready to apply for a water system grant. Although it will be many years down the road, Sullivan said the Council needs to take this important first step.

Councilman Kinneman also supported the ordinance, saying most local residents understand the value of municipal water when they lose electricity; although some residents have generators so their pumps continue to work, most do not. He noted that some areas of Oak Ridge have difficulty locating water sources, particularly some areas off of Bunch Road. He said his only concern is that this ordinance specifically calls for surface water, and he added there are many systems in the U.S. that are well-based. He said he did not believe that surface water should be the ultimate goal, but rather a reliable source of water, which was not necessarily just surface water or necessarily wells. He said rather than saying the ultimate goal was surface water, he would like to rephrase the ordinance to say the goal is a "reliable source of water" – which could include interconnected wells and not just surface water.

Mayor Combs said there was nothing in the ordinance that would require residents to cap their wells and tap on to the system. He reiterated that this ordinance just creates the framework so the Town can possibly apply for grants in the future. As far as Kinneman's concern regarding the use of the term "surface water," Combs said that could be changed by the Council in the future. He asked for Council's support of the ordinance, and encouraged citizens who were interested to contact Town Hall for a copy of it.

**Mayor Pro Tem Sullivan** made a **motion** to adopt the ordinance. **Councilman McClellan** seconded the motion, and it was passed unanimously (4-0).

**B. Public comment period on allowing twin trailers on N.C. 68**

Mayor Combs said he wanted to preface the discussion by making residents aware of what was going on. He said some people had read the article in the Northwest Observer and were attacking the N.C. Department of Transportation. He explained that DOT was not making the request – they were simply following their procedure, which allowed an individual to request that twin trailers be allowed on N.C. 68. He said both the towns of Oak Ridge and Stokesdale had been asked to provide input, and the Town Council wanted to get the opinions of the community. He asked those who wanted to comment come forward and be recognized.

- Jimmy Morgan said he had spoken to the Council on previous occasions regarding tractor trailers using local secondary roads. He said he thought allowing twin trailers on N.C. 68 would be like opening Pandora's box. He said he had been told by a DOT representative that the local secondary roads and the bridges on them were fully capable of handling even loaded tractor trailers, but Morgan said that does not mean it would be safe. He said N.C. 68 is heavily traveled and will remain that way until I-73 is completed, and that it makes no sense to allow twin trailers on the road considering all the residential traffic, students traveling the road on the way to and from school, and buses also going to the local schools. He said icy roads had recently made roads treacherous, and it is difficult to stop a large truck. He also said if traffic is backed up on N.C. 68, the twin trailers would likely start using the side roads through neighborhoods.

Council members present all spoke in opposition to allowing twin trailers to use N.C. 68. Councilman Kinneman pointed out that N.C. 68 was not built to handle the amount of traffic on it now, and that when I-73 is completed, the purported need for twin trailers to use N.C. 68 would be alleviated.

**Councilman McClellan** made a **motion** to instruct the Town Clerk to prepare a resolution that the Town of Oak Ridge and the Town Council are opposed to allowing twin trailers on N.C. 68 to sent it to N.C. DOT. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

**9. CITIZEN COMMENTS**

Roger Howerton, a former member of the Town Council who served on the Water Committee for several years, thanked the Council for its decision on establishing a water

Mayor Combs said there was nothing in the ordinance that would require residents to cap their wells and tap on to the system. He reiterated that this ordinance just creates the framework so the Town can possibly apply for grants in the future. As far as Kinneman's concern regarding the use of the term "surface water," Combs said that could be changed by the Council in the future. He asked for Council's support of the ordinance, and encouraged citizens who were interested to contact Town Hall for a copy of it.

**Mayor Pro Tem Sullivan** made a **motion** to adopt the ordinance. **Councilman McClellan** seconded the motion, and it was passed unanimously (4-0).

**B. Public comment period on allowing twin trailers on N.C. 68**

Mayor Combs said he wanted to preface the discussion by making residents aware of what was going on. He said some people had read the article in the Northwest Observer and were attacking the N.C. Department of Transportation. He explained that DOT was not making the request - they were simply following their procedure, which allowed an individual to request that twin trailers be allowed on N.C. 68. He said both the towns of Oak Ridge and Stokesdale had been asked to provide input, and the Town Council wanted to get the opinions of the community. He asked those who wanted to comment come forward and be recognized.

- Jimmy Morgan said he had spoken to the Council on previous occasions regarding tractor trailers using local secondary roads. He said he thought allowing twin trailers on N.C. would be like opening Pandora's box. He said he had been told by a DOT representative that the local secondary roads and the bridges on them were fully capable of handling even loaded tractor trailers, but Morgan said that does not mean it would be safe. He said N.C. 68 is heavily traveled and will remain that way until I-73 is completed, and that it makes no sense to allow twin trailers on the road considering all the residential traffic, students traveling the road on the way to and from school, and buses also going to the local schools. He said icy roads had recently made roads treacherous, and it is difficult to stop a large truck. He also said if traffic is backed up on N.C. 68, the twin trailers would likely start using the side roads through neighborhoods.

Council members present all spoke in opposition to allowing twin trailers to use N.C. 68. Councilman Kinneman pointed out that N.C. 68 was not built to handle the amount of traffic on it now, and that when I-73 is completed, the purported need for twin trailers to use N.C. 68 would be alleviated.

**Councilman McClellan** made a **motion** to instruct the Town Clerk to prepare a resolution that the Town of Oak Ridge and the Town Council are opposed to allowing twin trailers on N.C. 68 to sent it to N.C. DOT. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

**9. CITIZEN COMMENTS**

Roger Howerton, a former member of the Town Council who worked served on the Water Committee for several years, thanked the Council for its decision on establishing a water

ordinance, saying he now felt that the 12-14 years he spent trying to get municipal water in Oak Ridge had not been wasted.

**10. MONTHLY FINANCIAL UPDATE**

Finance Officer Sam Anders presented the monthly financial report, which is hereby incorporated by reference and made a part of the minutes. Anders said the Town remains in a strong financial position with \$3.074 million in assets. He said the Town's liabilities were \$26,212, and the revenue for the previous month was \$11,689, which included a wire transfer from Guilford County for \$8,991 for property taxes collected. He said investments continue to be monitored, the annual budget cycle has begun with the Finance Committee holding meetings.

Anders also submitted budget amendments to the Council, saying they were simply moving money between accounts and that most adjustments were fairly minor. He noted one reason an amendment was needed was due to the increased cost of health insurance for staff, which was difficult to project. In addition, he said Guilford County had notified the Town that it had mistakenly been billing the 2010 rates for animal control, so that error had been corrected. He said net collections were higher than what had been budgeted, which would cover the increases in other areas and should still leave an excess. The primary reason for the amendment was simply a housekeeping matter, Anders said.

Combs said the requested budget amendment is fairly standard, and something the Council is asked to approve every year about this time.

**Councilman McClellan** made a **motion** to approve the financial report. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

**Councilman Kinneman** made a **motion** to approve the budget amendment request. **Councilman McClellan** seconded the motion, and it was passed unanimously (4-0).

**11. COMMUNITY UPDATES**

**A. Fire Department**

Sam Anders reported that in February, the department responded to 49 calls (19 medical and 30 fire/service related), logged in 308 hours of training, and installed three car seats. He reminded residents to change the batteries in their smoke detectors when the time changes to Daylight Saving Time, saying that even hardwired systems have battery backups which should be checked. If anyone needs help or needs to get a smoke detector installed, Anders urged them to call the fire department for assistance.

**B. Finance Committee**

Chairman John Jenkins said the Committee has met twice and has reviewed the finances and projections for how the current budget year will end. They will now begin looking at the 2015-16 fiscal year budget, and he encouraged committee

chairs to submit their budget requests. Jenkins announced the next meeting was March 23 at 6 p.m.; the public is welcome.

**C. Board of Adjustment**

No report

**D. Historic Preservation Commission**

HPC vice chair Debbie Shoenfeld said the Commission did not meet in February, but was busy with ongoing projects. A historic marker dedication will be held at Linville Chapel on the campus of Oak Ridge Military Academy on March 31 at 6 p.m., followed by a service in the chapel. In addition, the marker subcommittee is considering locations to place markers next fiscal year, and the Commission has been contacted by a property owner about possibly getting a marker for their property.

**E. Planning & Zoning Board**

Chair Doug Nodine reported that the February P&Z meeting was postponed due to inclement weather and was held March 4. Members approved a two-lot subdivision off East Harrell Road, but the rezoning for 2900 Oak Ridge Road had to be re-advertised due to the meeting date change and was scheduled to be heard March 26.

**F. Parks & Recreation Commission**

Chairman Bill Edwards said the Commission was making progress on the changes for Phase II and was continuing to gather information. Edwards said the Commission anticipates a final plan being ready for approval by the April Town Council meeting. He added that three Eagle Scout projects are currently being constructed at the park.

**12. CITIZEN COMMENTS**

None

**13. COUNCIL COMMENTS**

**Councilman McClellan** commended the We the People class from Northwest High School, which had practiced its presentation before two members of the Town Council just prior to the Council meeting, saying that the class members gave him great hope for the future. He added that he was excited to see the Council pass the water ordinance.

**Mayor Pro Tem Sullivan** agreed with McClellan. Sullivan said water was a fragile resource. He added that he was also impressed with the level of knowledge of the We the People class, and said listening to them had been an eye-opening experience.

**Councilman Kinneman** also said he was impressed with the depth of knowledge of the We the People participants. He encouraged Oak Ridge residents to donate blood, saying one

pint of blood can save the lives of three people and that there would be no blood shortage if everyone able would donate just once a year.

**Mayor Combs** said he wanted to piggyback on the comments of former Council member Roger Howerton regarding the years of work that had been done on creating a Town water system. He thanked both Howerton and Finance Committee chairman John Jenkins – both of whom had “been there from the beginning,” as well as the members of the Council for approving the water ordinance. He again encouraged residents to read the water ordinance, which is available at Town Hall.

**14. ADJOURNMENT**

**Councilman Kinneman** made a **motion** to adjourn the meeting at 7:49 p.m. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (4-0).

Respectfully Submitted:

  
Sandra B. Smith, CMC, Town Clerk

  
Spencer Sullivan, Mayor Pro Tem