



OAK RIDGE TOWN COUNCIL MEETING  
JULY 9, 2015 - 7:00 P.M.  
OAK RIDGE TOWN HALL

MINUTES

**Members Present**

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

**Staff Present**

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

**1. CALL TO ORDER**

Mayor Ray Combs called the meeting to order at 7:00 p.m.

- A. Invocation.** The invocation was given by Rev. Darryl Duff of Oak Ridge Military Academy and Oak Ridge First Baptist Church.
- B. Pledge of Allegiance.**

**2. APPROVE AGENDA**

Councilman George McClellan made a motion to approve the meeting agenda.  
Councilman Jim Kinneman seconded the motion, and it was passed unanimously (5-0).

**3. APPROVE MINUTES OF THE JUNE 4, 2015, MEETING**

Mayor Combs asked that this item be tabled until the next meeting.

**4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- A. Recognition of Andrew Russoli-Strength and Honor Scholarship Fund recipient.**

Kyle Anders, chair of the Board of Directors of Oak Ridge Fire and Rescue, explained that Roland Russoli, father of fallen marine Andrew Russoli, was unable to attend the meeting, but that he had created a firefighter's scholarship in his son's memory. Anders and Councilman McClellan then presented the scholarship to cover classes for three semesters to Alyson Jones. Jones had also been awarded the scholarship the previous year.

- B. Resolution regarding the addition of Pepper Road Extension (0.17 miles), East Pepper Court (0.06 miles) and West Pepper Court (0.06 miles) to the N.C. State Maintenance System.**

Mayor Pro Tem Sullivan made a motion to approve the resolution. Councilman Mike Stone seconded the motion, and it was passed unanimously (5-0).

5. TOWN MANAGER'S REPORT

A. Committee/board reappointment.

Councilman McClellan made a motion to approve the reappointment of DeDe Cunningham to the Board of Adjustment. Councilman Kinneman seconded the motion, and it was passed unanimously (5-0).

B. Update on twin trailers.

Oakley reported that there had been multiple complaints about twin trailers using local roads over the past few months. He said he, Mayor Combs and Councilman Stone had all spoken to FedEx representatives about the matter, and he had set up a meeting with one for the following week.

C. Runoff issue.

Oakley reported on an issue with runoff from a road being constructed in the new Knight's Landing subdivision into the Linville Oaks subdivision after a recent rainstorm. He said he had also received an email from one of the residents, but he had been on vacation and was unable to respond. He said he had spoken with the developer, who said he was out there the following day rectifying the issue, and that the developer had taken measures to make sure the issue does not occur again.

C. Report on revocation of Certificate of Occupancy

Oakley said the property next door, which belongs to CMT Commons, is in violation of operating without a Certificate of Occupancy (CO). He explained that a temporary CO had been issued in September 2012 after CMT Commons agreed to the conditions outlined in a Certificate of Appropriateness (COA) issued by the Historic Preservation Commission (HPC). He said normally a temporary CO is issued for a maximum of 180 days, but that HPC's decision had been appealed to both the Board of Adjustment and Superior Court, which had both upheld HPC's decision. Although civil penalties have been accruing, Oakley said that he believed there was no choice but to revoke CMT Commons' temporary CO and order them to stop occupying the building. The next step, he said was to alert the building inspector, who would notify Duke Energy to cut off the power.

Mayor Combs said given the gravity of the situation and the fact that this issue had been going on for four years, he had written a statement. If said if Council agreed, he asked that the statement be put into the form of a resolution and adopted.

Mayor Combs then read the following statement:

The heart of Oak Ridge is one of the most charming in our area. It avoids glitzy commercial developments and retains the Oak Ridge heritage that we all benefit from and enjoy. The harmonization of old and new structures is largely due to the Oak Ridge historic district, the efforts of past and current Historic Preservation Commissions (HPCs), and the design guidelines they are charged with upholding.

Nearly all the significant projects in the town center were approved by the Town's HPC in three meetings or less (including BB&T, Sherwin Williams, McDonald's, JP Looney's and SECU), with some approved in only one meeting. Even the current Lowes Foods renovation, with several complications, required only three meetings with HPC. And then there are the things you don't see: golden arches, large LED moving signs, and billboards - all in part because of the historic district and its guidelines.

In March/April 2011, the Planning & Zoning Board (P&Z) unanimously recommended and the Town Council unanimously approved conditional rezoning of the property at 8309 Linville Road for CrossFit Oak Ridge/Mustang Fitness (owned by CMT Commons LLC). The conditional rezoning as requested by CMT Commons allowed for the single use of a sports fitness facility. This use then and now was subject to additional overlay zonings for the scenic corridor and the historic district, which govern appearance. The building proposed for construction was to look like a barn, with design elements similar to historic barns in the Oak Ridge historic district. Over the next four years, the following events occurred:

- A total of 27 public meetings involving CMT Commons have been held (four P&Z meetings, five Town Council meetings, 14 HPC meetings, and four Board of Adjustment meetings).

- There have also been several informal meetings between CMT Commons and staff, Council members and/or the town attorney. CMT Commons has requested multiple changes from its original plan, most of which have been approved. Of the unresolved issues, CMT Commons has not adhered to its own approved plan.

- On March 14, 2013, CMT Commons appealed HPC's decisions to the Oak Ridge Board of Adjustment, which unanimously upheld the HPC. CMT Commons then filed suit against the Town and HPC in Superior Court, and on January 11, 2015, the court ruled in the Town's and HPC's favor. CMT Commons then filed an appeal of that decision to the N.C. Court of Appeals, but later dropped it.

- On April 13, 2015, Town staff and the Town attorney met with CMT Commons and discussed CMT Commons's right to apply to HPC with another request to amend their approved plan in order to complete the project. However, CMT Commons made changes to the building prior to the meeting with HPC and without getting approval from HPC; HPC then determined at its June 10, 2015, meeting that those changes, as well as deletion of certain design elements also previously approved, did not meet the historic guidelines.

- In addition to the countless man-hours spent by staff working on the

case, the total cost to taxpayers for legal representation regarding the CMT Commons case thus far is in excess of \$80,000.

In order for a building to be legally occupied per state law, it must have a Certificate of Occupancy (CO). On September 14, 2012, Guilford County, in conjunction with the Town, issued a temporary CO so CMT Commons could operate while still seeking approval from HPC for changes to its approved plan. COAs are generally issued for a maximum period of 180 days; CMT Commons has been operating under its temporary CO for 2½ years. Although CMT Commons obtained a Certificate of Appropriateness (COA) with conditions from HPC in October 2012, it has not complied with those conditions, and that Certificate of Appropriateness (COA) was the subject of the lawsuit. To this date, the property remains in noncompliance despite the assessment of civil penalties.

This has left the Town with no other option but to withdraw the temporary CO and begin the legal steps to deny CMT Commons the right to operate in a building with no CO. To fail to enforce our ordinances would render those rules we all live by in Oak Ridge meaningless – making it impossible to enforce them in the future. It would also undermine the foundation of what has made Oak Ridge an attractive and charming town, successfully balancing preservation of its visible heritage with commercial and residential development.

This statement is derived from and substantiated by appeal records, court filings, and meeting minutes and audio recordings, all of which are available to any interested citizen.

There are no winners in this case, only losers. The owners of CMT Commons, those who joined for CrossFit training, the Town, its staff, citizen volunteers on the various boards, and the taxpayers of Oak Ridge have all suffered.

Under our Council-Manager form of government, it is the duty of the town manager and his staff to see that this action is carried out. This Council goes on record in supporting the town manager in the implementation of this action and the HPC for faithfully carrying out its duty as well.

Let it be understood that neither the Town Council, any members of the Town's volunteer boards, nor staff take pleasure in the course of action we are now required by law to take in this case.

**Councilman Stone** made a **motion** that the Council approve the statement, which will be made into a resolution. **Councilman Kinneman** seconded the motion, and it was passed unanimously (5-0).

**6. PUBLIC HEARING**

**REZONING CASE # RZ-15-02:** AG to RS-40. The property is located on the north side of Warner Road, approximately 1,300 feet east of Happy Hill Road, in Oak Ridge Township. It is a portion of Guilford County Tax Parcel 0166902, is comprised of approximately 24.6 acres, and is owned by Bryan and Tammy Gardner. The property is located in the Oak Ridge Extra-Territorial Jurisdiction (ETJ).

Town Planner Bill Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said a subdivision plan will be required to be reviewed if the rezoning is approved. Bruce said the proposed rezoning is consistent with the Land Use Plan, that staff recommends approval, and that the Planning & Zoning Board also voted unanimously to recommend approval.

Mayor Combs opened the public hearing.

*Proponents:*

- Tammy Gardner, the owner of the property, said it involves about 24.6 acres of their property. She said they were hoping to get 19 lots, but it would more realistically be about 18. She said all lots will be on individual wells and septic systems. She said the lots will each be a minimum of 40,000 square feet.

*Opponents:*

- None

The public hearing was closed.

*Questions:*

- Autumn Ryan, who lives across the road from the property, said the Gardner's property previously belonged to her father, who sold it to them because the Gardners said they wanted to use the former farm for their home. She said she was concerned about such issues as traffic and water. She asked if there would be a community well and septic system, and at what point that would be determined.

Mayor Combs said the property rezoning only allows the property to be used for residential instead of just agricultural use. Before anything was built on the property, a site plan would get a recommendation from the Planning & Zoning Board and approval from the Town Council.

- Ryan asked if the rezoning would affect the tax rate. Combs said the Gardners would have to pay additional taxes if the property is rezoned, but there would be no change for Ryan or other neighbors.

*Council questions/comments:*

- Councilman McClellan asked if there was any outreach done with the neighbors, and Gardner said no. She pointed out that her husband is a builder and he was talking about doing all the building in the development, and that he only built about two houses per year.
- Mayor Pro Tem Sullivan commented that when fully built out, the proposed plan would generate about 240 trips per day. He said he did not believe that would be much impact on the traffic.
- Councilman Kinneman asked if the cell tower on the property would be fenced off. Bruce said yes, and that met the buffering requirements, but the developer may wish to do more.

- Mayor Combs asked where the other adjoining property owners lived; Bruce said their houses were on Pearman Quarry Road, and that there was a significant distance between those homes and this property.

**Mayor Pro Tem Sullivan** made a **motion** that the proposed zoning amendment be approved based on the following:

1. The proposed zoning amendment is consistent with the adopted development plan of the Town of Oak Ridge. The Planning Board has provided the Council with its written statement that the proposed zoning amendment is consistent with the comprehensive plan, and Council concurs and adopts the Planning Board's finding of consistency by reference. In addition, the Council further finds that the proposed zoning amendment is consistent with the comprehensive plan because the adjacent properties are all low-density residential, which is consistent with the proposed zoning; and
2. The proposed zoning amendment is reasonable. The Council considers the proposed zoning amendment to be reasonable because:
  - A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.
  - B. The Council further finds that the proposed zoning amendment is reasonable because it complies with both existing and future land use plan recommendations for low-density residential in this area; and
3. The proposed zoning amendment is in the public interest. The Council considers the proposed zoning amendment to be in the public interest because:
  - A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.
  - B. The Council further finds that the proposed zoning amendment is in the public interest because Oak Ridge remains a most desirable place to live in providing a variety of housing options in different parts of town, and our ETJ also offers the public multiple choices in their search for residences.

**Councilman McClellan** seconded the motion, and it was approved unanimously (5-0).

## 7. CITIZEN COMMENTS

- Steve Holmes spoke about the runoff at his home on Parkchester Place from grading at a new subdivision on adjoining property after a recent storm and submitted photos, which are hereby incorporated by reference and made a part of the minutes. Holmes said the Town Council had voted for the developer to connect to Parkchester Place, and while the developer had said he would work on the issue, he now says he does not know how to stop the water from coming down Parkchester Place. Holmes said he was anxious to hear from Councilman Stone on possible options to resolve the issue.

Mayor Combs asked if the connection road has been paved yet, and Holmes said no. He said the problem was that the developer had taken some action, but said he is not sure what to do now, and someone needs to get involved who can fix it. Holmes said he thought a road closure or some other action needed to be taken.

McClellan said he had tried to contact Holmes twice after he had received a text message from another Linville Oaks resident. McClellan said he had called the developer, who told McClellan he had gone to the site right away, had a crew who the developer said

would stay there working on the matter until dark and return the next morning. Holmes said there would continue to be flooding into Linville Oaks from Parkchester Place.

Combs said he knew that Oakley had already addressed the issue with Planning Director Bruce and the developer. He said the Council did not want a river running down Parkchester Place, and the Town would do everything it could to prevent that from happening.

Sullivan said he had been to the site after the storm and understood Holmes' concern, but that he would hesitate to pass judgment before the road was completed and paved, because there was unfinished grading which forced the water to run down the road. He also said he understood the developer came to the site immediately and reinforced the silt fence with something far more substantial. He said there are ways to prevent such events from occurring again, but decisions on what to do were up to N.C. DOT and the developer. Holmes said he was asking the Council to make a decision now, and that the issue needed to be stopped now before the road was built and turned over to the DOT. Holmes said at that point, Linville Oaks would be out of the equation, the developer would throw up his hands, as would DOT. He said he and the other neighbors were looking for a pre-emptive action by the Council.

Kinneman said the Town would have to approve the state taking over maintenance of the road, and that it has the option of not doing that as leverage, which would make the developer still responsible for the road. Holmes said there were potentially other options, such as possibly applying to the Board of Adjustment for a variance or putting some kind of cut in Parkchester Place on the Linville Oaks side, without requiring the developer to have a new Unified Development Plan approved and incurring those costs.

Stone said he would wait and address the issue during Council Comments.

Combs said if there was something the Council could do, it would. Holmes asked if Combs was saying Council would close the Parkchester Place connection in August, and Combs said if that was what DOT instructed them to do; he reiterated that the experts should solve the problem, but that Council did not want a river flowing down Parkchester Place. He said there had been similar problems at other locations, which were resolved.

- Dawn Treacy, the Linville Oaks HOA president who lives at the base of Parkchester Place, also spoke about the water issue. After the recent storm, she said she had met with Bobby Norris, DOT engineer, and Scott Cole, of the Department of Health and Human Services, and that neither were convinced that having the developer install what they were requiring could take care of the issue. She said she had a N.C. DOT Highway Abandonment Petition, and once it had been signed by all property owners, that DOT would abandon the road with Council's blessing. She said the neighbors did not want the developer to have to get a revised site plan approved, so they were willing to close off the Parkchester Place connection or do something within the Linville Oaks subdivision.

Mayor Combs explained that DOT has no control over the road until they take it over, and Treacy said DOT had given her the form and it had taken over Parkchester Place on the Linville Oaks side. Combs reiterated that the Town would do all it could to keep the

road from flooding. He said it was not the Council's intention to re-create a war that had already been fought in the past, but it would do what it could to mitigate the problem.

Sullivan suggested Bruce contact the DOT engineer to work with the Town on the issue.

## 8. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented the financial report, which is hereby incorporated by reference and made a part of the minutes, and which brings an end to the fiscal year. He also presented a budget amendment, which is also hereby incorporated by reference and made a part of the minutes, that is required to balance the budget as of the end of the fiscal year. He said it was time to approve the annual engagement letter between the Town and his firm, which had been reviewed by the town manager and attorney.

**Councilman Kinneman** made a **motion** to approve the financial report. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

**Mayor Pro Tem Sullivan** made a **motion** to approve the annual engagement letter with Anders' firm. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

**Councilman Kinneman** made a **motion** to approve the budget amendment. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

## 9. COMMUNITY UPDATES

### A. Historic Preservation Commission

HPC chair Ann Schneider reported on the Commission's actions at its June 15 meeting. Schneider then updated Council on a phone call she had received from Ramona Bartos of the State Historic Preservation Office (SHPO) regarding a community visit to Oak Ridge. Bartos said SHPO had been contacted by N.C. Rep. Mark Brody about issues in Oak Ridge, and said she was concerned that the Historic District might no longer pass muster. Bartos told her that Oak Ridge was on the forefront of a problem that could undo 40 years of preservation progress because the Town had been unable to resolve issues with CrossFit (CMT Commons). Schneider said Brody wants to introduce legislation that would allow properties to opt out of a historic district; Bartos said the Town might want to disband the Historic Preservation Commission in favor of a local landmarks district, which only has jurisdiction over those properties, or that it might consider merging the Commission with the Planning & Zoning Board. Schneider said the Historic District is at the heart of the community, it gives Oak Ridge a village-like feel, and she considered the approach by SHPO to be blackmail. She said if SHPO can bully a small town like Oak Ridge, which has worked hard to develop and maintain its Historic District, then it could happen anywhere.

Councilman McClellan said he was familiar with Rep. Brody, who attempted to pass a grudge bill aimed at Oak Ridge which would eliminate the possibility of parties involved in disputes regarding properties in Historic Districts to be able to

have their cases litigated in court. McClellan said SHPO was listening to someone with a reputation for being a bully, and he and the Town Manager had gone to Raleigh to fight Brody's initial bill. He said this issue was worth fighting for.

Mayor Pro Tem Sullivan said Schneider's report was disturbing, and he was most bothered by the fact that Oak Ridge might soon be placed in the same position as the City of Greensboro, with the legislature removing its right to govern itself as it chooses.

Councilman Stone said Brody does not represent the Town's citizens, and that the local representative, John Blust, was present at the meeting. Stone said he appreciated all Blust does for the Town in Raleigh, and said he knew Blust was aware of and on top of the situation. Blust said he was looking into the issue, but he had learned in this session of the legislature that citizens do not like it when the legislature tries to manage a municipality's business. Blust said he would speak with Brody the following week, but he understood the CrossFit case had been litigated and that the General Assembly should not be interfering in that type of issue. He said he was unsure at this point whether to get involved in or stay out of the issue.

Mayor Combs said HPC had the Council's total support, and this was a circle-the-wagons time. He said as more information became available, he hoped it would be known why a legislator from Anson/Union County would stick his nose in the Town's business.

**B. Finance Committee**

Chair John Jenkins reported it had been a successful budget season.

**C. Fire Department**

Chief Steve Simmons reported:

- The department responded in June to 73 calls (39 medical, 34 fire/service related) and had received 270 hours of training.
- The leading cause of kitchen fires is unattended cooking. He urged citizens to never leave cooking food unattended, to set a timer if they must walk away, to make sure the stove and oven are clean, and to never pour water on a grease fire. If there is a fire, call 911, he said.

**D. Planning & Zoning Board**

None

**E. Board of Adjustment**

Chair Nancy Stoudemire reported the Board had approved a variance for an outbuilding in front of the front building line of a house on Scoggins Road.

**F. Parks & Recreation Commission**

Chairman Bill Edwards reported:

- Phase II construction is in its third week.

- Music in the Park and Movies in the Park are planned.
- A brochure and park map are being created.
- The park landscaping project near the pond has been completed; Edwards commended Barry Knight, who led the project.

10. CITIZEN COMMENTS

- Chuck Salmon commented for the second month in a row on the current tax rate, saying that the Town's tax rate is too high, out of line and oppressive.

11. COUNCIL COMMENTS

- **Councilman McClellan** said he had filed for re-election, and he highlighted several things the Town had done during his four years in office. He said there was still work to do, and he thanked the Town's volunteers for their service.
- **Mayor Pro Tem Sullivan** said he had also filed for re-election and asked for the citizens' support. He agreed there was more work to be done, and said the Town does face some challenges, as illustrated during the meeting. He congratulated Alyson Jones on her scholarship award, thanked the Parks & Recreation Commission, and offered special thanks to the Historic Preservation Commission. He reiterated points in the statement approved earlier about CrossFit/CMT Commons, and said after 2½ years their conditional items had still not been corrected and that the Town has no other choice than to implement enforcement. He said all the Town wants is to see the building come into compliance, and that he was hopeful a solution could be found.
- **Councilman Kinneman** commented on the importance of donating blood and said bimonthly blood drives are held at Oak Ridge United Methodist Church. He also spoke about the CrossFit/CMT Commons issue, saying that HPC is a quasi-judicial board and the Town Council does not have the ability to override it, but it does have the obligation to enforce its actions. He said there had been numerous attempts to work with CrossFit on compliance, and CrossFit's last effort was barely minimal to meet HPC's requirements to hear an application. He said in most cases, a talented carpenter could have resolved the outstanding issues and that would have been cheaper than seeking legal counsel. Kinneman said he had no interest in seeing CrossFit go out of business, but he had an obligation to see that the Town's laws are enforced.
- **Councilman Stone** thanked Darryl Duff for offering the invocation, the Town's volunteers, and Rep. Blust. He commented again on the FedEx twin trailers using local roads, and asked Oakley to contact the company again about the safety risk. Stone thanked Steve Holmes and Dawn Treacy for alerting Council about the storm runoff on their road, and said he could see why neighbors were upset. He asked Oakley and Bruce to over-communicate with Linville Oaks residents on the issue, and urged Council to be prepared to deal with the issue if it continues to be brought up.

- **Mayor Combs** thanked Rep. Blust and asked him to do what he could, and said a local government should be able to act without interference from someone from another county. He reminded attendees of two things: 1) That CrossFit has not followed the plan it presented and got approved; and 2) that the court had ruled in favor of the Town and the HPC. He asked McClellan to continue his unofficial job as “legislative bulldog” and to spend time talking to legislators in Raleigh. He also asked citizens who felt Brody’s actions were unjust to also contact legislators.

Combs then said he had been mayor for 12 years, and that he and his wife had traveled a good deal and planned to do more. He said it had become increasingly difficult to do his job from afar, and it was not fair to citizens to have an absentee mayor. He announced that he was stepping down as mayor to resume his seat as a Council member, and asked the town clerk to conduct an election for mayor and mayor pro tem.

Town Clerk Sandra Smith opened the floor for nominations for the office of mayor, and **Councilman Kinneman nominated** Mayor Pro Tem Sullivan. With no other nominations, the floor was closed.

Carol Shina, a member of the audience, asked why the citizens could not elect the mayor. Combs said that it was because of the way the charter was set up when the Town incorporated. He said the method used was not unheard of, and it had also been used in Stokesdale and Summerfield until the citizens voted to change it. Shina said the people should be able to select the mayor; Combs said that was possible if citizens present a petition. He said the current Council did not create the method of electing mayor.

Another citizen interrupted, and Combs banged the gavel for order. As the woman left the room, she told Combs he could use the gavel all he wanted because he had “more coming.”

Council’s vote for Sullivan for mayor was unanimous (5-0).

As the election continued, two other citizens loudly interrupted, with one telling the Council she was opposed to what was transpiring. Combs said he was going to have to ask the woman to leave, and she loudly said she would leave, but the decision on the election of mayor should be up to the citizens, not the Council. Combs asked the woman to leave, and she responded that she would like to ask Combs to leave. She and another woman walked out of the meeting.

Smith then opened the floor for nominations for the office of mayor pro tem, previously held by Sullivan. **Councilman McClellan nominated** Councilman Kinneman.

Another citizen called out and asked if citizens could write in a candidate and select someone other than the five seated Council members. Combs said the law does not allow for that. She asked if they could get some instruction on how to change the law. Combs said citizens would need to petition the legislature to change the Town charter, but that was not something that could be done right now. He said the five Council members are not “married” to the current method, but it was how the Town was initially set up.

Rep. John Blust said given that the request was coming from local citizens, he would be happy to sponsor such a bill in the House, and he thought Sen. Berger would do the same in the Senate. Several audience members applauded.

With no other nominations for mayor pro tem, the floor was closed, and the vote for Kinneman was unanimous (5-0).

12. **CLOSED SESSION**

To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee pursuant to N.C.G.S. 143-318.11(a)(6).

**Councilman Stone** made a **motion** to go into closed session at 8:57 p.m. **Councilman Kinneman** seconded the motion, and it was passed unanimously (5-0).

**Councilman Kinneman** made a **motion** to return to open session at 9:17 p.m. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

**Councilman Kinneman** made a **motion** to approve a salary increase of 3 percent for the Town Manager. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

13. **ADJOURNMENT**

**Councilman McClellan** made a **motion** to adjourn the meeting at 9:17 p.m. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk

  
C. Spender Sullivan, Mayor Pro Tem