



**OAK RIDGE TOWN COUNCIL SPECIAL MEETING  
OCTOBER 17, 2014 - 8:30 A.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

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

**Staff Present**

Bruce Oakley, Town Manager  
J. Michael Thomas, Town Attorney

**Staff Absent**

Sandra Smith, Town Clerk

**Members Absent**

Jim Kinneman

**1. CALL TO ORDER**

Mayor Ray Combs called the meeting to order at 8:30 a.m.

**2. CONSIDER APPROVAL OF CONTRACT WITH STEWART INC. FOR DESIGN OF PHASE II OF OAK RIDGE TOWN PARK**

Town Manager Bruce Oakley reported that the Parks & Recreation Commission had recommended that the firm of Stewart Inc. design Phase II of the park. The firm that did the design of Phase I of the park was purchased by Stewart, so many of the same employees are still involved. Although design work has begun, details of the contract needed to be ironed out before it could be approved. Oakley presented the contract, which is now ready to be approved by the Town Council.

Mayor Pro Tem Spencer Sullivan said Task 5 on the contract was listed as optional, but asked if the firm does not think that it has some responsibility during the warranty period unless the Town pays it an additional \$2,000 if there is a problem with the contractor. Oakley said in Phase I of park construction, some issues had arisen with the contractor, and the firm had consulted for free; he added that he was sure that design-related errors would be covered under the contract. Town Attorney Michael Thomas said a design error would be treated differently than a construction defect; he pointed out that Stewart's contract said the firm would visit the site during the 1-year warranty period to make sure there were no problems and to review the project. He added that Stewart was saying in this section that, just in case something occurred during the warranty period, the contract was not open-ended forever for them to provide time to consult on the issue. He said he was comfortable with the language in the contract, which he had tightened up some. The contract also provided for twice-monthly site visits during the construction period, Thomas said. Oakley said Stewart would be responsible for any design-related issues, and the contractor would be responsible for construction-related issues.

Councilman Mike Stone asked if it was worth it for the Town to go on and include that option in the contract; Oakley said he did not think it was a decision the Town Council had to make at that time, but could exercise the option if needed in the future. Stone also asked about Task 4 in the contract regarding pre-construction and construction progress meetings; he asked if those meetings were with the Parks & Recreation Commission, Town staff or the Town Council. Oakley said with construction of Phase I of the park, he, Parks & Recreation Director Terry Lannon, and Parks & Recreation Commission Chair Bill Edwards had usually attended, and occasionally other Parks & Recreation Commission members had as well. He said Council members were also welcome and encouraged to attend and give input.

Mayor Combs asked if funds to cover the contract were already approved in the budget, and Oakley said yes, that it was approved as a capital expense; he added that a capital project ordinance would be completed once the design was finished. Combs asked when the capital budget was approved, and Oakley explained that it was done at the same time the operational budget was approved. The mayor then asked Thomas if he had reviewed the contract and was satisfied with the wording; Thomas said yes, that he and Oakley had reviewed the contract and added or deleted items they felt were not in the Town's best interest. Oakley said Finance Officer Sam Anders had also reviewed the contract and approved it.

Councilman McClellan asked how soon bids for the contract would go out; Oakley said the design needed to be finished first, but the goal was for plans to be put out for bid in December, although the time line was tight. He said once plans were drawn, they would need to be approved by the Parks & Recreation Commission, Historic Preservation Commission, Planning & Zoning Board, and the Town Council. Guilford County and NCDENR would also be required to approve various aspects of the plan. Once all the approvals are obtained, the construction period should be relatively quick, Oakley said.

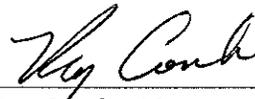
**Councilman McClellan** made a **motion** to approve the contract with Stewart. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

### 3. ADJOURNMENT

**Councilman McClellan** made a **motion** to adjourn the meeting at 8:47 a.m. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

  
Sandra B. Smith, CMC, Town Clerk

  
Ray Combs, Mayor