



**OAK RIDGE TOWN COUNCIL MEETING
NOVEMBER 1, 2018 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Spencer Sullivan, Mayor
Jim Kinneman, Mayor Pro Tem
George McClellan
Doug Nodine
Ann Schneider

Staff Present

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

1. CALL TO ORDER

Mayor Spencer Sullivan called the meeting to order at 7:00 p.m.

A. Invocation.

Rev. Christi Taylor of Oak Ridge United Methodist Church offered the invocation.

B. Pledge of Allegiance.

2. APPROVE AGENDA

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

3. APPROVE MINUTES

Councilwoman Ann Schneider made a motion to approve the minutes of the October 4, 2018 meeting. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

- None

5. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE

- Master Corporal Southern of the District 1 office of the Guilford County Sheriff's Office said there were 102 calls for service in Oak Ridge in October, none of which were for Part 1 crimes (which include breakings & enterings and violent acts such as

arson, homicide and theft). Southern said crime is down 48 percent in the district from this time last year. As a safety tip, he advised residents not to keep valuables in their vehicle; if they do, they should keep the vehicle locked. Christmas gifts should be secured. He urged residents to call 911 to report any suspicious activity.

6. REPORT FROM OAK RIDGE FIRE DEPARTMENT

- Chief Steve Simmons reported the department responded to 95 calls in October – 41 of a medical nature, and 54 of a fire/service nature, with 22 of those related to Hurricane Michael. Department personnel received 227 hours of training in the previous month. With the coming cooler weather, Simmons urged residents to have their heating systems serviced, and to have their chimneys inspected and cleaned if needed.

7. ANNUAL FINANCIAL AUDIT REPORT

Chad Cook, audit manager with the accounting firm Dixon Hughes Goodman, reported that the Town had a clean audit with no issues. He said financial statements had been submitted to the Local Government Commission for approval as required. He provided the Council with details of the Financial Summary.

Councilman McClellan made a motion to accept the Financial Report. Councilwoman Schneider seconded the motion, and it was passed unanimously (5-0).

8. PIEDMONT LEGACY TRAILS PRESENTATION/ADOPTION OF RESOLUTION

Palmer McIntyre of the Piedmont Land Conservancy presented a PowerPoint presentation regarding the Piedmont Legacy Trails initiative, and asked for the Council's support. The resolution is as follows:

RESOLUTION R-2018-06

**A RESOLUTION
IN SUPPORT OF
PIEDMONT LEGACY TRAILS**

WHEREAS, The Town of Oak Ridge is committed to enhancing the quality of life for its citizens and recognizes that supporting Piedmont Legacy Trails will help create a regional network of trails, including greenways and blueways; and

WHEREAS, trails provide key amenities to neighborhoods and safe areas for our citizens and children to travel, exercise, play and connect with nature and communities; and

WHEREAS, trails have significant impact on the economic viability of the region through increased tourism, enhanced property values, as well as the ability to attract and retain businesses to the region due to improved quality of life; and

WHEREAS, committing to this Resolution may help leverage funding from federal, state, local and private sources for trails; and

WHEREAS, Piedmont Legacy Trails is coordinated by Piedmont Land Conservancy which is dedicated to preserving important natural areas, and Piedmont Triad Regional Council, which is a regional planning organization.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Oak Ridge supports Piedmont Legacy Trails in partnership with neighboring communities to implement a system of regional trails that connects our communities, people and regional points of interest for years to come.

Councilman McClellan made a motion to adopt Resolution R-2018-06 in support of Piedmont Legacy Trails. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).

9. TOWN MANAGER'S REPORT

Disposition of Surplus Property Ordinance.

Town Manager Bill Bruce said approval of an ordinance would allow staff to dispose of the storage buildings on the Chester Redmon/Life Estate at the park, but would also allow staff to get rid of other surplus items such as old computers and furniture. He presented Ordinance O-2018-04 to the Council for consideration:

**AN ORDINANCE
TO AUTHORIZE THE SALE OR OTHER DISPOSITION
OF SURPLUS PERSONAL PROPERTY**

WHEREAS:

Article 12, Chapter 160A of the North Carolina General Statutes governs the use and disposal generally of property by municipalities, and provides in N. C. Gen. Stat. § 160A-265 that "[i]n the discretion of the council, a city may: (i) hold, use, change the use thereof to other uses, or (ii) sell or dispose of real and personal property, without regard to the method or purpose of its acquisition or to its intended or actual governmental or other prior use"; and,

N.C. Gen. Stat. § 160A-266 specifically authorizes municipalities to adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items in substitution for the requirements of said Article; and,

From time to time the Town of Oak Ridge is required to dispose of surplus personal property; and,

The Council is of the opinion that disposition of personal property having a fair market value of less than Thirty Thousand Dollars (\$30,000) may be efficiently and properly accomplished by authorizing the Town Manager to undertake and complete such sales either by noticed public sale or privately and without formal published notice, provided such sale or other disposition of personal property has been previously approved by the Council;

NOW, THEREFORE, under the authority delegated to the Town of Oak Ridge by N. C. Gen. Stat. § 160A-265 et seq. and specifically N.C. Gen. Stat. § 160A-266(c), the Town of Oak Ridge enacts the following ordinance.

BE IT ORDAINED:

That Chapter 2 of the Town of Oak Ridge Code of Ordinances is amended, by adding the following new section:

§ 2-4. Disposition of Surplus Personal Property

(a) The Town Manager or his designee may from time to time dispose of any one item or group of items of personal property belonging to the Town, valued at less than thirty thousand dollars (\$30,000) and which has been deemed unneeded for public purposes and surplus by the Town Council, by any of the following methods:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) Exchange.

(b) The Town Manager shall use such method of disposing of surplus personal property as may in the Town Manager's opinion appear best designed to secure for the Town fair market value for all such property disposed of and to accomplish the disposal efficiently and economically. Disposition of such surplus personal property shall be complete upon the receipt by the Town of the sales price therefor and the conveyance of title by bill of sale or other certificate to the purchasing party executed on behalf of the Town by the Town Manager.

(c) The Town Manager shall keep a record of all property sold under this section, and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Mayor Pro Tem Kinneman asked if staff would still need to have Council declare items surplus before disposal, and if items valued at more than \$30,000 were subject to different consideration. Town Attorney Michael Thomas said Council would still need to approve the items as surplus, and that items valued at more than \$30,000 were subject to state statutes before disposal could occur.

Mayor Pro Tem Kinneman made a motion to approve the ordinance. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

Pursuant to the ordinance, Bruce asked the Council's approval to dispose of the storage buildings behind the Chester Redmon house as surplus property.

Councilwoman Schneider made a motion to authorize staff to dispose of the storage buildings. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

Discussion/approval of sidewalk construction contract.

Bruce presented and requested Council approve a contract to construct a sidewalk from Oak Ridge Swim Club on Oak Ridge Road to Chalet Drive at a cost of \$316,155. In response to questions, Bruce said providing the lighting at the crosswalk at Tarleton Drive would be an additional cost. The blinking crosswalk sign would likely cost \$10,000-\$15,000; Bruce said he was optimistic that Duke Energy would install the street light at the site, and the Town would pay roughly \$20-\$25 per month for the lighting. Construction of the sidewalk, to be 10 feet wide across the Town property and 5 feet wide elsewhere, would begin in the spring.

Councilman McClellan made a motion that Town staff enter into a contract with Yates Construction Company Inc. for \$316,155. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).

Discussion/approval of project administration contract.

Bruce presented and requested Council approve a contract for administration of the sidewalk project with Davis Martin Powell in the amount of \$17,000.

Councilwoman Schneider made a motion to approve the contract with Davis Martin Powell for \$17,000 for construction administration and related services. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).

Voluntary annexation report.

Bruce reported that it has been five years since the Town accepted requests for voluntary annexation from residents of the Extraterritorial Jurisdiction area, and there appeared to be some interest at this time.

Councilman McClellan made a motion to open enrollment for voluntary annexation from December 1, 2018 through April 1, 2019, and to instruct staff to prepare a detailed plan for the Town Council at its December meeting. Councilwoman Schneider seconded the motion, and it was passed unanimously (5-0).

Recycling event.

Bruce announced that Guilford County would be hosting a recycling/e-cycling event for electronics, tires and appliances and to shred documents at Oak Ridge Elementary School on November 3.

10. PUBLIC COMMENTS

- None

11. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented the financial report, which is hereby incorporated by reference and made a part of the minutes. He also asked for approval of a budget amendment in the amount of \$4,100 to pay pro rata property taxes on the recently acquired Whitaker and McCandless properties. Both those properties will be removed from the tax rolls on January 1.

Councilman McClellan made a motion to approve a budget amendment request for \$4,100 to pay property taxes. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).

Councilwoman Schneider made a motion to accept the finance officer's report as presented. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

12. COMMUNITY UPDATES

A. Board of Adjustment.

No meeting

B. Special Events Committee.

Chair Patti Dmuchowski reported that the Scavenger Hunt winners had been announced, and 20th anniversary T-shirts had been presented to all Town committees. She said the Community Tree display will be installed in conjunction with the Light Up the Night luminary event, and 35 trees are available for sponsorship. The final 20th anniversary event will be a volunteer appreciation dinner in January. Dmuchowski said the committee is discussing other possible activities in 2019, including a possible veterans memorial to be installed on Town property.

C. Historic Preservation Commission.

Town Clerk Sandra Smith reported that no regular meeting was held in October, but a special meeting was held on October 16 in which the Commission approved a formal request from Oak Ridge Military Academy for withdrawal of a COA for signage.

D. Parks & Recreation Commission.

No report

E. Finance Committee.

No meeting

F. Planning & Zoning Board.

No meeting

G. Mountains-to-Sea Trail Committee.

Co-chair Bill Royal reported two workdays had been held in October to construct the trail spur connecting the Cascades Preserve to Haw River Road, with 7-10 volunteers coming out each day. Once the trail connection is completed, they will ask the Friends of the Mountains-to-Sea Trail to officially designate that as a portion of the trail. Royal said a member of the Friends of the Mountains-to-Sea Trail planned to hike the Cascades Preserve the following week and would include information on it in an upcoming trail guide.

H. Merchants of Oak Ridge.

President Phillip Hanks reported the association had recently awarded its first scholarship to an Oak Ridge Military Academy cadet. He estimated that more than 1,000 children attended the annual Great Pumpkin Event, and said the merchants were pleased to be part of the Community Trees display and the Light Up the Night event.

13. PUBLIC COMMENTS

- Van Tanner, 6605 Ashton Park Drive, said he had received comments that week from residents of his neighborhood about the bump in the road where the Bunch Road bridge had been repaired. Town Manager Bruce said staff had received a number of complaints about the bridge. Since the bridge had washed out as a result of Hurricane Michael, Bruce said he thought NCDOT's priority was to get the bridge repaired and the road reopened; he understood NCDOT planned to repave the area within the next week.

14. COUNCIL COMMENTS

15. ADJOURNMENT

Mayor Pro Tem Kinneman made a motion to adjourn the meeting at 8:28 p.m. Councilwoman Schneider seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, NCCMC, CMC
Town Clerk

Spencer Sullivan
Mayor