



**OAK RIDGE TOWN COUNCIL MEETING
OCTOBER 4, 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. Marti Hazelrigg of Oak Ridge Presbyterian Church offered the invocation.

B. Pledge of Allegiance.

2. APPROVE AGENDA

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

3. APPROVE MINUTES

Mayor Pro Tem Kinneman made a motion to approve the minutes of the September 6, 2018 regular meeting and the August 20, 2018 special meeting. Councilman George McClellan seconded the motion, and it was passed unanimously (5-0).

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

Mayor Sullivan read the following proclamation:

PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW, THEREFORE, I, Spencer Sullivan, Mayor of the Town of Oak Ridge, do hereby proclaim November 10, 2018, as Arbor Day in the Town of Oak Ridge, North Carolina, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant and care for trees to promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Oak Ridge to be affixed this 4th day of October, 2018.

* * *

- Nancy Stoudemire, chair of the Town's Tree City USA committee, announced that the committee had decided to plant a tree in Oak Ridge Town Park in honor of all veterans. A ceremony is scheduled for November 10, 2018, at Shelter 2 at 1 p.m., and all Oak Ridge residents and veterans are welcome to attend. Stoudemire presented an Arbor Day hat and lapel pin to Mayor Sullivan.
- Mayor Sullivan then read a statement by N.C. Rep. John Faircloth that was read on the house floor, congratulating the Town of Oak Ridge on its 20th anniversary of incorporation in 2018.
- Sullivan announced that the Town will be holding an open house for citizens to review and comment on its draft Strategic Plan on October 11, 5-7 p.m. He said copies of the draft plan are also available for pick-up at Town Hall.

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 520 calls for service in District 1 in September, with 66 of those coming from Oak Ridge. He said only one of those was for a Part 1 crime

(which include breakings & enterings and violent acts such as arson, homicide and theft). He advised residents to keep their valuables locked up and to call 911 to report any suspicious activity.

6. REPORT FROM OAK RIDGE FIRE DEPARTMENT

- Chief Steve Simmons reported the department responded to 74 calls in September – 36 of a medical nature, and 32 of a fire/service nature. The majority of those calls were for downed trees as a result of the recent storm. Department personnel received 207 hours of training in the previous month. Simmons reminded residents to make sure there was adequate access to their homes by trimming back trees and brush from their driveways, saying that a lack of access would delay service in case of an emergency.

7. PUBLIC HEARING

REZONING CASE # RZ-18-05: AG to CU-TC-R. The property is located on the south side of Oak Ridge Road, approximately 3,177 feet east of the intersection with Highway 68, in Oak Ridge Township. It is Guilford County Tax Parcel #162863, consisting of approximately 81.157 acres, and is located in the Greensboro (GW-III) Watershed. The property is owned by Larry Callahan and Jack Pegg.

Town Manager Bill Bruce read the property description and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said there would be a maximum of 49 detached, single-family residences. A sketch plan had been submitted that shows lots on the eastern part of the property to be a minimum of 20,000 square feet, and lots on the west side of the property to be a minimum of 40,000 square feet. The developer held an open house for neighbors to see the proposed plan. Bruce said the Land Use Plan recommends residential development for that area and the property is located in the Town Core. The Planning & Zoning Board recommended approval, as did staff.

Sullivan opened the public hearing.

Proponents:

- Attorney Amanda Hodierne spoke on behalf of VENN LLC, who will own the property if the rezoning is approved. She provided Council with a packet, which is hereby incorporated by reference and made a part of the minutes, and led the Council through the information it contained. The packet included the proposed conditions and sketch plan, an illustrative subdivision plan, an aerial photo, and copies of letters sent to neighboring property owners. Hodierne said a good open house had been held for neighbors on September 13, which was attended by neighbors and the leadership of Oak Ridge United Methodist Church, who were interested in how the development would interact with the church property. Hodierne said the client principal is Matt Walraven, who lives in Oak Ridge and has built a lot of nice homes in the area. She said she felt the request to rezone the property was reasonable and was a responsible use of the land with good balance. She said it furthers the Town's stated goals and objectives in the Land Use Plan, and it would have sidewalks. She said staff had made them

aware of the Town's desire for a public trail easement along the eastern boundary of the property, and her client was amenable to that.

Opponents:

- None

Sullivan closed the public hearing.

Council questions/discussion:

- Councilman McClellan said he would like the trail easement dedication to be a condition, and Hodierna asked to add to the application the condition that the applicant would provide the requested easement dedication as stated in the Pedestrian Plan.
- Mayor Pro Tem Kinneman asked the price range of the homes in the development, and Hodierna said they would be typical for this part of the county. She said the goal was to have differentiation between the two sections of the development, but no exact floor plan or price point had been decided. Kinneman asked if the development would have a community well; and Hodierna said yes, and that they anticipated having one well.
- Councilwoman Schneider pointed out that the property was currently zoned for agricultural use, and asked when it might have been used for that purpose. Hodierna said she did not know. Schneider said she was pleased that the houses would not be visible from the Historic District, and she was also pleased to see common area around the lakes and a fairly large tree preservation area.

Councilman McClellan made a motion that the proposed zoning amendment be approved based on the following:

1. *The proposed zoning amendment is consistent with the adopted comprehensive 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 the 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 Oak Ridge Land Use Plan recommends the area as residential and it is within the Town Core.*

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:*
 - *Policy 2.1.1 of the Land Use Plan states that within the Town Core, clustered, mixed density and/or attached single-family lots with densities up to two units per acre are appropriate. Developments with densities up to two units per acre may also be appropriate within the Town Core Transition Zone if contiguous with existing or approved developments with similar densities.*

- *Also, Policy 2.1.4 states a mix of housing types and densities may be appropriate in some developments.*

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 the proposed rezoning is consistent with the Town of Oak Ridge Future Land Use Plan adopted by the Town Council on January 7, 2016, and amended on February 4, 2016. Additional considerations including a trail easement along the eastern boundary will also bring the proposed development into greater compliance with the Pedestrian Plan.*

Councilman Kinneman seconded the motion.

Additional Council discussion:

- Mayor Sullivan said he had neglected to get a report from the Planning & Zoning Board. Board Chair Ron Simpson came forward and said there was not much to add. He said some neighboring property owners expressed concern about the community well and its possible effect on them. He said there was also concern about additional traffic on N.C. 150. He said although the proposed development fits the Land Use Plan well, some people are concerned about the rate of implementation of developments with a density of two units per acre.
- Councilman McClellan said he thought the developers had gone above and beyond with the plan for trails and sidewalks, and the development is a perfect fit for the Town.
- Mayor Pro Tem Kinneman said he thought the Town should encourage community wells since water quality testing and draw-down tests are required. If there is a problem with the water system, someone would be required to take care of it, he said.
- Councilman Nodine said the only comments he had heard were the same as Simpson had reported: constant development and increased traffic on N.C. 150.
- Councilwoman Schneider said she was in favor of the rezoning because it was a responsible use of the land. She said having only 49 homes and a mix of lot sizes on 81 acres was a good solution.
- Mayor Sullivan said he agreed with Council's comments. He said he was a member of Oak Ridge United Methodist Church, and the church's chair of the Board of Trustees was also at the meeting. He said one reason the Council is developing a Strategic Plan is to address some of the concerns that had been voiced by citizens.

With no further discussion, Council's vote in favor of the rezoning request was unanimous (5-0).

8. TOWN MANAGER'S REPORT

Playground wall contract.

Town Manager Bill Bruce presented a contract for the rebuilding of a retaining wall at the Oak Ridge Town Park playground.

Mayor Pro Tem Kinneman made a motion to approve a contract to reconstruct the retaining wall at the playground at a cost of \$7,847. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

Oak Ridge Youth Association usage agreement.

Councilman Doug Nodine made a motion to approve the usage agreement with ORYA. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

Speed limit change on NC 68.

Town Manager Bruce presented an ordinance to repeal the 45-mph speed limit on NC 68 from .11 mile south of Fogleman Road to a point .20 mile north of NC 150. The repeal of the speed limit would cause it to revert to the statutory 35 mph.

Councilwoman Schneider made a motion to repeal the 45-mph speed limit from Fogleman to Meadows Road. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

9. PUBLIC COMMENTS

- Patti Dmuchowski, 7320 Hidden View Drive, asked the Council to consider creating a permanent veterans memorial at Oak Ridge Town Park. She also asked for Council's consideration of an information sign to be erected in front of Town Hall on which events and dates could be posted.
- Lt. Col. Dave Reardon, president of Oak Ridge Military Academy, said the academy was honored to participate in the Town's Heritage Day celebration on September 29. He introduced Stephen Washington, the academy's new director of administration. Washington introduced himself and said he was here to support the Town and Lt. Col. Reardon. He said there was a misperception that military school students are troubled, and that was not the case at ORMA, whose students are upward bound.

Councilwoman Schneider thanked Reardon for ORMA's participation in Heritage Day. She said both Reardon and Angie Williams were members of the Special Events Committee and had realized early on that there was a conflict between Heritage Day and ORMA's homecoming. She said Reardon had come up with a perfect solution to have the cadets parade to the Town Park to open Heritage Day by presenting the colors.

10. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented the financial report, which is hereby incorporated by reference and made a part of the minutes.

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

11. COMMUNITY UPDATES

A. Merchants of Oak Ridge.

The annual Great Pumpkin Event will be held on October 27.

B. Board of Adjustment.

No meeting

C. Special Events Committee.

Chair Patti Dmuchowski said September had been a very busy month. The committee held or participated in several events including a Scavenger Hunt, a lawn party at the Charles Benbow house, birthday party at the Old Mill, and Heritage Day's pie baking and beard contests. The committee also published an insert on Oak Ridge's history since incorporation in the Northwest Observer. The two final 20th anniversary events are Community Trees at the luminary event in December and a volunteer potluck in January.

D. Historic Preservation Commission.

Chair Debbie Shoenfeld reported that the Commission met in September and approved two Certificates of Appropriateness. It participated in Heritage Day, and the marker committee is considering where the next marker should be located.

E. Parks & Recreation Commission.

Vice Chair Phyllis Anders said the final Music in the Park would be held October 13.

F. Finance Committee.

No meeting

G. Planning & Zoning Board.

Chair Ron Simpson said the Council had already dealt with the rezoning that the Planning & Zoning Board recommended. The Board also approved a site plan, which was a modification of a plan for Happy Tails Puppies.

H. Mountains-to-Sea Trail Committee.

Co-chair Martha Pittman also reported a busy month with participation in Heritage Day and the MST birthday weekend. At the September meeting, the committee heard a presentation from the Piedmont Land Conservancy on Piedmont Legacy Trails. The Friends of the MST will feature the Cascades Preserve in a guidebook. Two workdays had been scheduled in October to construct trails.

12. PUBLIC COMMENTS

- None

12. COUNCIL COMMENTS

13. ADJOURNMENT

Mayor Pro Tem Kinneman made a motion to adjourn the meeting at 8:24 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