



**OAK RIDGE TOWN COUNCIL MEETING  
MARCH 3, 2022 - 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Ann Schneider, Mayor  
Jim Kinneman, Mayor Pro Tem  
George McClellan  
Martha Pittman

**Staff Present**

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

**1. CALL TO ORDER**

Mayor Ann Schneider called the meeting to order at 7:00 p.m.

**A. Invocation/Moment of Silence.**

Reverend Michael Carr offered the invocation.

**B. Pledge of Allegiance.**

**2. MAYOR'S STATEMENT CONCERNING THE EMERGENCY**

Mayor Schneider said meeting agendas were available for those attending the meeting in person, and all meeting materials had been posted on the Town website. The public had been invited to join either in person or by viewing the livestream, and instructions had been widely publicized. By doing this, she said the Town was meeting all statutory requirements.

**3. APPROVE AGENDA**

*Mayor Pro Tem Jim Kinneman made a motion to approve the agenda as presented, and Councilman George McClellan seconded. The motion was passed unanimously (4-0).*

**4. APPROVAL OF MEETING MINUTES**

*Councilwoman Martha Pittman moved that the minutes of the February 3, 2022, regular meeting be approved, and Councilman George McClellan seconded. The motion was passed unanimously (4-0).*

**5. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

Mayor Schneider announced that Councilman Doug Nodine had resigned from Council earlier in the week, and then read a proclamation which is hereby incorporated by reference and made a part of the minutes.

**6. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE**

Sergeant Southern reported that a purse was stolen from a vehicle at Oak Ridge Town Park recently. He encouraged residents to keep valuables locked up and out of sight. Southern said that officers had also responded to a car break-in on Merriman Farm Road, and that officers were trying to identify images of two suspects who were caught on a neighbor's video camera.

**7. REPORT FROM OAK RIDGE FIRE DEPARTMENT**

Lieutenant Hampton Staunton reported that there were 59 calls in February, including five building fires, one grass-and-woods fire and 23 medical-related calls. Staunton said that personnel had received 598 hours of training during the month of February.

**8. PUBLIC HEARING**

**TEXT AMENDMENTS.** Amendments to Section 30-254 and 30-1300 of the Town of Oak Ridge Code of Ordinances to ensure compliance with NC General Assembly Session Law 2021-138, specifically to clarify that violations of a city ordinance may be a misdemeanor or infraction only if the city specifies such in the ordinance.

Council also considered amendments to Chapters 18, 36, 42, and 46 of the Oak Ridge Code of Ordinances for compliance with Session Law 2021-138, which does not require a public hearing.

Schneider said that the goal of all of the amendments was to clarify, as required by state law, that violations of a city ordinance may be a misdemeanor or an infraction only if the city specifies that in the ordinance.

Planning Director Sean Taylor read his staff report which is hereby incorporated by reference and made a part of the minutes. He said that the Planning & Zoning Board had reviewed the text amendments, held a public hearing on the matter and recommended approval to Chapter 30 with a change in statute wording from "pertaining" to "related."

Mayor Schneider opened the public hearing.

*Proponents:*

None

*Opponents:*

None

Mayor Schneider closed the public hearing.

*Council discussion:*

Councilman McClellan asked if the purpose of the text amendments was to decriminalize something and to make it a misdemeanor with a \$500 fine, and Town Attorney Michael Thomas replied no that a misdemeanor is a criminal offense. He said it is only decriminalized in cases where we have said only a civil penalty applies.

Councilwoman Pittman said that she appreciated the memo on the topic from Thomas and that the Planning & Zoning Board took their time to understand the text amendments before making a recommendation.

*Councilwoman Martha Pittman moved to approve the proposed text amendments to Chapter 30-254 and 30-1300 as well as Chapters 18, 36, 42 and 46 of the Town of Oak Ridge Code of Ordinances to ensure compliance with NC General Assembly Session Law 2021-138, specifically to clarify that violations of a city ordinance may be a misdemeanor or infraction only if the city specifies such in the ordinance with one amendment to Section 30-254, item 7 replacing the word "pertaining" to "related." Councilman George McClellan seconded the motion, and it was approved unanimously (4-0).*

## **9. TOWN MANAGER'S REPORT**

### **A. Consideration/approval of 2023 Deer Urban Archery Season**

*Councilman George McClellan made a motion to approve the 2023 Deer Urban Archery Season from January 14 – February 19, 2023. Mayor Pro Tem Jim Kinneman seconded, and the motion was passed unanimously (4-0).*

### **B. Update on Heritage Farm Park/PARTF grant**

Town Manager Bill Bruce said that staff was in the process of selecting the site for a well in Heritage Farm Park. He said that a contractor planned to conduct a draw-down test to ensure that tapping water for the park won't take water from neighboring wells. Bruce said that if the test shows no negative impact on neighboring wells, civil engineers would complete construction plans for the park that would probably start this summer.

### **C. Update on NC 68/HWY 150 intersection project**

Bruce said that the North Carolina Department of Transportation had delayed by four months the letting of a general contract for an estimated \$7 million of improvements on N.C. 69 and 150. He said that the delay to January 2023 would give NCDOT more time to conduct appraisals and purchase property in the right of way with an estimated start now scheduled for the spring of 2023. Bruce said that the project called for construction of two roundabouts to slow traffic and the

installation of new traffic lights and other improvements at the intersection of HWY 68 and 150 to improve safety for pedestrians and cyclists.

**D. Announcement of 2022 Voluntary Annexation process**

Bruce said that staff had mailed letters to more than 100 property owners eligible for voluntary annexation into Oak Ridge. He said that staff did not mail letters to all eligible property owners and encouraged people who received letters to share the information with neighbors by the April 15, 2022 deadline.

**E. Any other business**

None

**10. NEW BUSINESS**

**A. Discussion/approval of Rules of Procedure**

Schneider said that Town Attorney Thomas had long advised that Council formally adopt Rules of Procedure. She said that she agreed with him and believed that adopting such rules would codify the kind of good governance practices that Council had always followed. Schneider said that having Rules of Procedure in place would also provide a shared understanding of the basic ground rules for meetings, would guard against any future problems and provide help when any tough situations that may arise. She said that several handbooks published by the UNC School of Government were reviewed and discussed with the town attorney and town staff. Schneider said that the most detailed and up-to-date handbook was Trey Allen's (2017) *Suggested Rules of Procedure for a City Council* (fourth edition) which allows for the suggested rules to be downloaded and customized to fit specific details of each town. She said that each person on Council had received a copy of the handbook and had an opportunity to review draft customized for them. Schneider said that all of the comments from Council had been incorporated into the version that was being considered. She said that the proposed rules largely reflected exactly how Council had operated successfully for the past 25 years.

*Council discussion:*

McClellan said that he did not see a lot of differences between the handbook and what Council had been doing, and Thomas replied that he was correct.

Thomas said that the proposed Rules of Procedure take Robert's Rules and common practice of decades municipal government in North Carolina and distill it into the set of rules that the mayor alluded to. He said that he felt like Oak Ridge is a best practice community and in his time as town attorney that there had been very few parliamentary issues. Thomas said that this was basically putting down in writing what Council had been doing since incorporation.

McClellan said that this puts it in writing so that future Councils will have rules on how to conduct a meeting.

Kinneman said that since he had been on Council for 13 years that the handbook was what had been followed all along. He said that once in a while members would quibble about something back and forth but had never really had any hard disagreements on how Council conducts the meetings. Kinneman said that the Rules of Procedure would be helpful especially for new members who will come up after us.

Pittman said that she liked the new Rules of Procedure. She said that right after she was elected that she attended an orientation for newly elected officials in North Carolina, learned about Rules of Procedure and realized that we had nothing in writing. Pittman said that she thought this Council had done things efficiently and had maintained decorum but felt like this would help us to have a reference whenever Council gets into sticky situations in which we may disagree on how to proceed.

Schneider said that she was a policy person and that the process of selecting new Rules of Procedure had been slow and steady.

*Councilman McClellan made a motion to approve the Rules of Procedure for Oak Ridge Town Council. Mayor Pro Tem Kinneman seconded, and the motion was passed unanimously (4-0).*

**B. Discussion/approval of proposal to provide Wi-Fi coverage to Oak Ridge Town Park**

Schneider said that Council had not received updated proposed costs associated with this project. She said that Council could decide to take action or defer consideration to a date certain or at a future meeting.

*Mayor Pro Tem Kinneman made a motion to defer the discussion and consideration of the proposal to provide Wi-Fi coverage to Oak Ridge Town Park to April 7, 2022, and Councilman George McClellan seconded.*

*Council discussion:*

Kinneman said that he had been working on putting Wi-Fi in Oak Ridge Town Park but that the entire park would not be covered. He said that there would be three hotspots: one at the concession stand, one at shelters #1 and #2. Kinneman said that the project's cost quote was \$15,000 and that the monthly fee would be \$75.

*The motion was passed unanimously (4-0).*

**11. PUBLIC COMMENTS**

Phil Byrd, 5910 Bartlett Drive, Greensboro, said that was a candidate for Guilford County Sheriff. He said that he had spent 30 years with the Guilford County Sheriff's Department and appreciated what council members had done for the Town of Oak Ridge.

**12. 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 George McClellan made a motion to accept the financial report as presented, and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).*

### **13. COMMITTEE REPORTS**

#### **A. Mountains-to-Sea Trail**

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

#### **B. Conservation Easement Committee**

Committee Chair Stephanie Farrell reported that the Committee met in February to review the information that will be used to promote the Committee's mission to citizens. She said that an Open House was being planned for mid to late April that will also include representatives from the Piedmont Land Conservancy and Preservation North Carolina.

#### **C. Special Events Committee**

Committee Chair Patti Dmuchowski said that the Committee continued to work on updating the Veterans Honor Green brochure to include information on how to incorporate its fundraising effort of selling engraved bricks. She said that the new vice chairperson for the committee was Ben Walraven, and that his subcommittee was working hard on the luminary event that will take place in December. Dmuchowski said that she would be meeting with Bill Bruce next week to discuss the 2022-2023 budget. She said that the Committee had received the construction documents from Reavington Reaves and were waiting on revised cost estimates. Dmuchowski announced that there would be a groundbreaking ceremony for the Veterans Honor Green on April 7, 2022, at 11 a.m.

#### **D. Parks & Recreation Advisory Board**

Committee Co-Chair John Browning reported that the Board had approved a request by some residents to temporarily play pickleball in the parking lot at Oak Ridge Town Park two morning per week when demand for parking was low. He said that the Board was trying to streamline a process for them to evaluate projects in order to determine if they were a good fit for the Park. Brown that the Board had selected two frozen drink vendors to service events at the Park for 2022.

#### **E. Finance Committee**

Chair John Jenkins reported that the Finance Committee would have its first meeting on Monday, March 7, 2022, at 7 p.m.

#### **F. Water Advisory Board**

No report

**G. Historic Preservation Commission**

Chair Debbie Shoenfeld reported that the Commission met on February 16, 2022, and that she was elected chair and that Caroline Ruch was elected vice chair. She said that four Certificates of Appropriateness were approved and that the 2022-2023 budget was approved. Shoenfeld reported that grant packets had been mailed and that an Historic Heritage Grant information session had been held.

**H. Planning & Zoning Board**

Chair Dr. Jason Streck reported that the Board had met on February 24, 2022, to discuss the text amendment that were voted on this evening. He said that the Board voted unanimously to recommend them to Council.

**13. COMMUNITY ORGANIZATION REPORTS**

**A. Oak Ridge Elementary School**

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

**B. Oak Ridge Youth Association**

Community Director Randy Collins presented Oak Ridge Youth Association President Tom Collins with a plaque of appreciation, on behalf of the ORYA Board, for his decade of service.

**C. Oak Ridge Military Academy**

No report

**14. PUBLIC COMMENTS**

Tom Collins, 5344 Larue Court, Summerfield, said that he was humbled and appreciated receiving the plaque of recognition. He also said that the Oak Ridge Youth Association would have a kickoff meeting on Monday, March 7, 2022, to discuss a cricket program.

**15. COUNCIL COMMENTS**

Kinneman asked Town Manager Bill Bruce to go over how Council would handle replacing a Council member, and Bruce replied that the appointment decision and process would be at the discretion of Council. Bruce said that an appointment would fill the remainder of the term until the next municipal election. He said that it would be up to Council to determine the process for filling the seat.

16. ADJOURNMENT

*Councilman George McClellan moved to adjourn the meeting at 8:20 p.m., and Mayor Pro Tem Jim Kinneman seconded. The motion was passed unanimously (4-0).*