



**OAK RIDGE TOWN COUNCIL MEETING  
JANUARY 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**

Sam Anders, Finance Officer  
Michael Thomas, Town Attorney  
Bill Bruce, Planning Director/Interim  
Co-Town Manager  
Sandra Smith, Town Clerk/Interim  
Co-Town Manager

**1. CALL TO ORDER**

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

**A. Invocation.**

David Gantt, youth minister at Central Baptist 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**

Councilman George McClellan made a **motion** to approve the minutes of the December 7 regular meeting, the December 11 and December 14 special meetings, and the December 11 closed session. Councilwoman Schneider seconded the motion, and it was passed unanimously (5-0).

**4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

Mayor Sullivan recognized Ben Steel, a local Boy Scout, and several students from Northwest High School who were attending the meeting as part of a civics class assignment.

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

Capt. Robert Elliott reported that crime was down 8 percent in District 1 in 2017 from the previous year, and down 12 percent since 2016. He said in December, the district received 135 calls from Oak Ridge. Of those there were four Part 1 crimes, which include breakings & enterings and violent acts such as arson, homicide and theft. They included a burglary at Oak Ridge Commons shopping center, a shoplifting at Tractor Supply and a motor vehicle breaking & entering.

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

Assistant Chief Sam Anders reported there had been 76 calls in December, with 33 of a medical nature and 43 of a fire/service nature. The department had received 210 man-hours of training. Anders advised residents that smoke detectors should be replaced at least every 10 years, and to avoid open burning on windy days.

**7. TOWN MANAGERS' REPORT**

**A. Update to Continuity of Government Plan.**

Mayor Pro Tem Kinneman made a **motion** to approve updating the plan's contact information. Councilman McClellan seconded the motion, and it was passed unanimously (5-0).

**B. Discussion of establishing a Mountains-to-Sea Trail committee.**

Interim Co-Town Manager Bill Bruce presented a memo which included a recommendation to create a Mountains-to-Sea Trail committee and the proposed mission, duties and responsibilities of the committee.

Councilman McClellan made a **motion** to approve the mission of the committee. Councilman Doug Nodine seconded the motion, and it was passed unanimously (5-0).

Staff was directed to begin soliciting for volunteers to serve on the committee.

**C. Report on door-to-door solicitation issue.**

Interim Co-Town Manager Sandra Smith presented a memo and a spreadsheet with information gathered on the door-to-door solicitation issue. The memo included the number of complaints received about solicitors at town hall and by the District 1 sheriff's department office during 2017. Smith said five applications from citizens to serve on an advisory committee on door-to-door solicitation had been received, but Council had directed that the committee be made up of at least five citizens from different areas of Town. The volunteers all lived in one of three subdivisions.

Council members discussed the issue, with Councilman McClellan saying that 14 phone calls received by the sheriff's office in the course of a year seemed to show that the issue was not rampant, and that he was not sure there was a real problem. Mayor Pro Tem Kinneman agreed, adding the sheriff's office had recommended posting a "no soliciting" sign on properties where door-to-door soliciting is unwanted. Councilman Nodine asked if Smith had a feeling for how many phone complaints on door-to-door soliciting the towns that staff had gathered information

on had received, and Smith said no. Councilwoman Schneider asked Smith if staff had any sense that such an ordinance had made a dramatic difference in the towns that have them, and Smith said no. Smith said staff from several of the towns had been asked about that, but none seemed to have hard numbers and could only speculate. Schneider said she was concerned whether an ordinance was warranted, but also whether one would make any real difference. Mayor Sullivan said he had similar concerns, and said he would like more information on why towns with such an ordinance had created it and whether it had had any effect.

Smith said without a Town police force, any enforcement would boil down to a resident picking up the phone and calling the sheriff's office – which would be required whether or not there was an ordinance. Nodine asked if the sheriff's office had any reaction on whether they would enforce such an ordinance if Oak Ridge adopted it or whether there might be a county-wide ordinance limiting door-to-door soliciting. Smith said she did not think there had been any talk of a county-wide ordinance, and creating such an ordinance only for Oak Ridge might be difficult to some extent for deputies to enforce, particularly since the Town limits are somewhat irregular.

After additional discussion, Council directed staff to solicit additional information on towns of similar size to Oak Ridge with such an ordinance, statistics on how many calls were still being received, and whether the ordinance had made any difference.

**D. Parking lot at Oak Ridge Town Park.**

Bruce reported that in November, Council had directed staff to ask the contractor to apply an additional inch of asphalt to the new parking lot at Redmon Field in the spring and then restripe it in an effort to fix the unacceptable striping job. He said since then, staff had met with a third-party expert about possible alternatives, since there was some concern that an additional 1-inch of asphalt was possibly inadequate. After additional discussion, the contractor agreed to give the Town a credit of \$9,365 credit against the final outstanding payment of approximately \$11,000. The estimated cost to reseal and restripe the lot is about \$3,800, and the credited funds could be used to reseal and restripe the lot in a couple of years, if needed. Sullivan asked if the project would then be considered completed, and Bruce said yes.

**Mayor Pro Tem Kinneman** made a **motion** to approve the contractor's proposal of a \$9,365 credit against the remaining balance. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

**E. Engineering and surveying contract for Sidewalks 1, 2 and 3.**

Bruce presented a memo and proposal for approval from Davis-Martin-Powell & Associates Engineers and Surveyors for civil engineering and surveying for sidewalks on Oak Ridge Road from Oak Ridge Swim Club to Chalet Drive. Actual construction would be an additional cost.

**Mayor Pro Tem Kinneman** made a **motion** to approve the agreement with Davis-Martin-Powell for an amount not to exceed \$29,500. **Councilwoman Schneider** seconded the motion, and it was passed unanimously (5-0).

**8. PUBLIC COMMENTS**

- Steve Wilson, 8525 Scoggins Road, who is chair of the Board of Trustees of Oak Ridge Military Academy, introduced the school's new president, Lt. Col. Dave Reardon. Reardon told a little about himself, then said he was concerned about a business in Oak Ridge that is located 100 yards from the school that is selling items such as water bong, glass pipes and mental relaxation substances. While the items are legal, Reardon said the business is a reflection of the community. He asked the Council if it was the right image Oak Ridge wanted to project.
- William Vaughan, 5801 Elkton Drive, agreed with Reardon, saying he moved to Oak Ridge so his children would not have to be exposed to that type of activity. He encouraged the Council to listen to Reardon.
- Rita Lewandowski, 5006 Golden Acres Road, thanked the Council for approving the Mountains-to-Sea Trail committee.
- Mike Stone, 8112 Hunting Cog Road, spoke on the door-to-door solicitation ordinance issue. Stone said when Council approved an ordinance against soliciting on public streets in March 2016, he did not think there was any discussion at that time about constitutional rights as there had been earlier in the meeting about door-to-door solicitation. He said he thought there was a need to address the issue, and cited the number of comments on the subject on the Nextdoor.com website.

**9. 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 financial report. **Councilwoman Schneider** seconded the motion, and it was passed unanimously (5-0).

**10. COMMUNITY UPDATES**

**A. Finance Committee.**

Smith said the first meeting of the Committee would be February 5.

**B. Planning & Zoning Board.**

No meeting

**C. Merchants of Oak Ridge.**

Phillip Hanks, president of the organization, said membership was strong. He said the group was starting the process for the annual scholarship for a Northwest High School student, and was looking forward to extending it to other area students as well.

**D. Board of Adjustment.**

No meeting

**E. Historic Preservation Commission.**

Vice Chair Debbie Shoenfeld reported there was no meeting, but members are being assigned to ongoing subcommittees, working on the Historic District inventory project, and will be doing a site visit related to a grant project.

**F. Parks & Recreation Commission.**

No meeting

**11. PUBLIC COMMENTS**

None

**12. COUNCIL COMMENTS**

- Regarding Reardon's comments about the vape shop and its effect on Oak Ridge Military Academy, Nodine, Schneider and Sullivan expressed concern and asked staff to look into the issue of whether such businesses could be addressed in an ordinance. Bruce said it was possible, but an ordinance change would not affect this business since it would be considered grandfathered.
- Nodine and Sullivan also asked the Finance Committee to look at reducing the tax rate for next fiscal year.

**13. 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 McClellan** made a **motion** to go into closed session at 8:12 p.m.  
**Councilwoman Schneider** seconded the motion, and it was passed unanimously (5-0).

**Mayor Pro Tem Kinneman** made a **motion** to return to open session at 8:23 p.m.  
**Councilwoman Schneider** seconded the motion, and it was passed unanimously (5-0).

**14. ADJOURNMENT**

**Councilman McClellan** made a **motion** to adjourn the meeting at 8:24 p.m. **Councilman Kinneman** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

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Sandra B. Smith, NCCMC, CMC  
Town Clerk

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Jim Kinneman  
Mayor Pro Tem