



OAK RIDGE TOWN COUNCIL SPECIAL MEETING  
JUNE 29, 2021 - 1:00 P.M.  
OAK RIDGE TOWN HALL

MINUTES

Members Present

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

Staff Present

Bill Bruce, Town Manager  
Sandra Smith, Town Clerk  
Sean Taylor, Planning Director  
Michael Thomas, Town Attorney

1. CALL TO ORDER

Mayor Ann Schneider called the meeting to order at 1 p.m.

2. APPROVE AGENDA

*Councilman George McClellan motioned to approve the meeting agenda, and Mayor Pro Tem Kinneman seconded. The motion was passed unanimously (5-0).*

3. PUBLIC HEARING

**Discussion of Petitions for Voluntary Annexation and Consideration/Approval of Ordinance O-2021-12 to Extend the Town's Corporate Limits.** Town Manager Bill Bruce said that Council had authorized a period to accept voluntary annexation petitions over this past spring. He said that the Town had received 87 petitions as of May 1, 2021. Bruce said that notices had been sent to people south of County Line Road, south of Reedy Fork and between the boundaries of Town of Summerfield and the Town of Oak Ridge along Northwest School Road and Alcorn Road. He said that Town Clerk Sandra Smith had certified 62 of the petitions that were received and that they had been reviewed by Town Attorney Michael Thomas.

Mayor Schneider stated that annexation maps were posted on the Town's website.

Mayor Schneider opened the public hearing.

*Proponents:*

None

*Opponents:*

None

Mayor Schneider closed the public hearing.

*Councilman George McClellan made a motion to adopt the petitions for voluntary annexation and approval of Ordinance O-2021-12 to extend the Town's corporate limits, and Mayor Pro Tem Jim Kinneman seconded the motion.*

*Council discussion:*

Councilman McClellan welcomed the 62 parcels that were approved to the Town of Oak Ridge. He asked if the petitions that were not approved were not eligible, and Town Manager Bill Bruce responded that several were not eligible due to distance or inclusion in a subdivision where not all residents had submitted petitions. He said that several satellite areas were eligible but due to the time period to get residents approved by the end of the fiscal year that they were not included in this round of annexations.

Councilman McClellan said that he knew that Northwest School Road residents were not included due to its closeness to the Town of Summerfield and asked how this issue could be rectified, and Town Manager Bill Bruce replied that the distance requirements would not apply but that an annexation agreement would have to be obtained with the neighboring jurisdiction.

Mayor Pro Tem Kinneman asked when the satellite areas would be considered, and Bruce said that he would like to consult with Town Attorney Michael Thomas and Town Clerk Sandra Smith about the time required to draft those ordinances and report back to Council on a reasonable timeframe.

Town Attorney Michael Thomas said that petitions remain valid unless they are withdrawn. He said regarding contiguous areas, that we encourage citizens who want to come in to work the process and make sure that they have continuity. He said that one exception was the Oak Ridge Fire Department property on Northwest School Road and said that he supported that as non-contiguous satellite annexation in order for both fire department properties to be within the Town of Oak Ridge. Thomas said that he hoped that Council would encourage residents to keep their applications in play and to work on others between them and the next closest Town boundary to come in.

Mayor Pro Tem Kinneman asked if parcels were allowed in partially in the year would the resident pay partial taxes, and Bruce replied that yes, they would pay a prorated amount.

Councilman Nodine asked about the significance of the dotted red line, and Town Attorney Michael Thomas replied that the dotted red line signified the current Town of Oak Ridge boundary.

Councilman Nodine asked if this was now the area coming into the Town of Oak Ridge, and Thomas replied that the dotted red line indicated a current boundary. He said that in area #6 that the Town boundary was in the western margin of the interstate.

Mayor Schneider said that the blue line indicated what parcels were being annexed in and the yellow lines were parcel lines.

Councilman Nodine asked how often properties could be brought into the Town of Oak Ridge through voluntary annexation, and Thomas replied that there was no limit on contiguous properties coming in at any time. He said that the timing of accepting voluntary annexations was determined by the pleasure of Council. Thomas said that the Town was not obligated to accept voluntary annexation petitions. He said that his recommendation would be to not have an enrollment period but to leave it open but then cut it off on April 1 of every year. Thomas said that this process would give staff 90 days to verify ownership, make sure that they qualify and to have the metes and bounds descriptions done by June 30. He said that he takes the line descriptions from deeds and recorded plats then ties them together. Thomas said that he did not want to pay for surveyors and that he works with Town Clerk Sandra Smith on getting valid petitions signed by all property owners.

Mayor Schneider said that she wanted to consult with staff regarding the timing of when to accept additional petitions.

Councilwoman Pittman welcomed the new residents to the Town of Oak Ridge. She encouraged those who didn't qualify in this round to work with their neighbors and staff to figure out what they need to do to qualify. Pittman said that she was unsure about the timeline projected on the noncontiguous parcels that technically qualified but were not included this time.

Thomas said that it is Council's discretion to take in all parcels who apply whether they are contiguous or not. He said that there was a planning advantage for accepting contiguous boundaries rather than islands. Thomas said that 10% of parcels can come in as noncontiguous.

Councilwoman Pittman said that when the voluntary annexation process was publicized that we did not restrict the satellite areas. She said that she wanted to make sure that those who qualified but were not contiguous don't just go by the wayside.

Thomas said that he felt like there were some advantages to waiting for continuity but if Council thought that was not the right message to send then direction from Council would be followed.

Mayor Schneider said that this topic was discussed at this week's staff meeting, and that Town Manager Bruce said staff would look into how to handle the satellite requests. She proposed that the Town Manager provide an update on remaining annexation requests during this week's Town Council meeting so that people know the timeline.

Mayor Pro Tem Kinneman said that Bruce said that he would not drop it, so he thought Council should wait for him to come back to us before we make a decision on how to handle the satellite requests.

Thomas said that the statute says that petitions from noncontiguous parcels have to be accompanied by a metes and bounds description and a map. He said that this was not required for contiguous parcels. Thomas said that nothing in the statute says that we cannot fill out the petitions for residents and then have them sign it. Thomas

said that we can do something like this to make the process easier for people. He said that staff would take direction from Council.

Mayor Schneider said that she believed that it was safe to say that staff was overwhelmed by the number of petitions that were received. She said that one reason that she understood that we did not consider noncontiguous parcels is that staff could barely handle getting the contiguous applications processed. She said that staff had done a herculean task due to the fact that the process is very labor intensive. She thanked staff and the town attorney who did the heavy lifting on this process. Schneider said that she learned this morning that staff will communicate with everyone who had applied for voluntary annexation.

Councilman McClellan asked if there was a downside on processing the noncontiguous parcels now, and Thomas replied that it would require more time for Town staff.

Mayor Schneider said that this process was about welcoming people into the Town of Oak Ridge who like what we are doing and not about fattening up our tax revenues. She said that the voluntary annexation process was a costly and labor-intensive process. Schneider said that we went through the process so that we can welcome in residents who were worried about future involuntary annexations by other towns.

Councilman Nodine asked if there was a fee to submit a voluntary annexation petition, and Thomas responded that there was no fee.

Councilman Nodine asked if the Town could charge a fee to submit a voluntary annexation petition, and Thomas replied that Towns do not charge a fee because no one wants to discourage people from submitting a petition.

Mayor Pro Tem Kinneman said that we want to do everything that we can do to encourage people to submit a voluntary annexation petition, and Councilman Nodine asked why we wanted to encourage people to apply.

Mayor Pro Tem responded that the Town of Oak Ridge had always taken a welcoming approach if someone wanted to move here. He said that given the tax rate that it created a minor change in our revenue. Kinneman said that this process is not like bringing in an industrial site that would have an impact on our revenue. He said that voluntary annexation buffered us from other communities.

*The motion was passed unanimously (5-0).*

#### **4. ADJOURNMENT**

*Mayor Pro Tem Jim Kinneman made a motion to adjourn the meeting at 1:25 p.m., and Councilman George McClellan seconded the motion. The motion was passed unanimously (5-0).*