



**OAK RIDGE TOWN COUNCIL MEETING  
OCTOBER 7, 2021 – 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  
Ashley Royal, Deputy Clerk  
Sean Taylor, Planning Director  
Michael Thomas, Town Attorney  
Sam Anders, Finance Officer

**Members Absent**

Doug Nodine

**1. CALL TO ORDER**

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

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

Travis Cole, Impact Director of The Summit Church of Oak Ridge, offered the invocation.

**B. Pledge of Allegiance.**

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

Mayor Schneider asked members of the public to wear their masks during the entire meeting in accordance with the Guilford County mask mandate. She said the public had been invited to join either in person or by viewing the livestream, and instructions had been widely publicized. She said the Town was meeting all statutory requirements while complying with the Governor's Emergency Order.

**3. APPROVE AGENDA**

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

**4. APPROVAL OF MEETING MINUTES**

*Councilwoman Martha Pittman moved that the minutes of the September 2, 2021, regular meeting be approved, and Councilman George McClellan seconded. The motion was passed unanimously (4-0).*

**5. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

Mayor Schneider proclaimed the excellent work done by The Summit Church of Oak Ridge volunteers through their Big Serve event. She also thanked the Oak Ridge Garden Club for their work in four different gardens in Oak Ridge.

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

Detective Christopher Malloy reported that for the month of September that there were 70 calls made for service. He said most of the those calls had minor impacts to the Town.

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

Assistant Fire Chief Sam Anders thanked the Town for hosting Heritage Day and for allowing the Oak Ridge Fire Department to be a part of the celebration. He said that the annual BBQ fundraiser would be on Saturday, October 16, 2021, beginning at 9 a.m. Anders said that the safety tip was for residents to be aware of weather induced issues as the weather alternates between wet and dry weather.

**8. TOWN MANAGER'S REPORT**

**A. Consideration/approval of Parks & Recreation Advisory Board's recommendation to waive the pitching mound rental fee for tournaments only.**

Bruce said there was a memo in Council's packet that outlined the rationale for the fee waiver request which would help the Town position itself to be more competitive in attracting tournaments. He said that both staff and the Parks and Recreation Advisory Board recommended that Council adopt this change to the fee schedule.

*Councilman George McClellan made a motion to waive the pitching mound rental fee for tournaments only, and Mayor Pro Tem Jim Kinneman seconded. The motion was passed unanimously (4-0).*

**B. Heritage Farm Park/PARTF Update.**

Bruce said that he wanted to provide an update on the Town's plans to develop the Heritage Farm Park property. He said for the last several months McGill Associates, consultant engineers, had worked with town staff and the Parks and Recreation Advisory Board to prepare a site development plan and construction drawings for

phase one of Heritage Farm Park, which includes all grading and site preparation, an access drive and parking lot, two lighted athletic fields, walking trails, a playground, restroom, and picnic shelter. Bruce said that these plans were nearly complete, and staff was working through the final review and permitting process. He said that the plan had been reviewed and approved by the Parks and Recreation Advisory Board, and both the Historic Preservation Commission and Planning and Zoning Board would be reviewing the plans this month for conformance with the town's Historic District standards and development ordinance. Bruce said that after a review of our engineer's opinion of probable cost, town council authorized staff to move forward with preparing an advertisement for bids from contractors for all of phase one. He said the Finance Committee had reviewed these costs, as well as a fund balance projection and amortization schedule based on current interest rates and recommended applying for a loan to finance a portion of the cost of construction. He said that Council had reviewed these projections and the work with the Finance Committee and concurred with that recommendation and advised staff to secure a loan for up to \$3.25 million. He said that the Town had hoped to offset some of this cost with a Parks and Recreation Trust Fund grant, which would have covered roughly 12 percent of total project costs, but unfortunately due to another year of strong competition the Town was not successful. Bruce said that work toward preparing the bid advertisement had begun and that staff planned to post when permits and approvals had been secured. He said that staff planned to have bid openings in December and a contractor in place by Council's January meeting.

Schneider clarified that phase one meant the entirety of what Bruce had described and that the only elements remaining in our Capital Improvement Plan would be possible tennis and basketball courts in future years, and Bruce replied that was correct.

**C. Any other business.**

Bruce referred Council to a memo in their packets regarding zoning enforcement action at 8346 and 8364 West Harrell Road. He said that there were two notices of civil penalties currently accruing against the property owner, Ricky Wayne Jones, for zoning violations related to the use of the properties as an automotive storage yard. Bruce said that a timeline of contact that staff had attempted to make with the property owner beginning on May 4, 2021, was included in Council's packet. He said that to date the Town had received no response from Mr. Jones. Bruce said that civil penalties for both properties now exceeded \$30,000. He said that he requested that Council authorize the Town Attorney to pursue enforcement in Superior Court for an injunction to obey the Zoning Ordinance and judgement to collect accrued civil penalties against Ricky Wayne Jones property owner.

*Mayor Pro Tem Jim Kinneman made a motion to authorize the town attorney to proceed with enforcement against property owner, Ricky Jones, for property located at 8346 and 8364 West Harrell Road, and Councilman George McClellan seconded.*

*Council discussion:*

Councilman McClellan asked how many times law enforcement had attempted to contact the property owner, and Bruce replied four times.

McClellan asked how many letters had been sent to the property owner, and Bruce replied that the Town had made numerous attempts to contact the property owner through both certified and regular mail as well as physically posting the property.

McClellan asked Town Attorney Michael Thomas what would happen if the property owner chose not to show up for court, and Thomas replied that Council had authorized a filing of an action to do two things. He said that the first thing was to enforce compliance through the contempt power of the court to find the owner of these properties who are refusing to obey a lawful regulation and would be ordered to pay a fine, go to jail or both. Thomas said that secondly there were civil penalties accruing daily that would become a judgment at 8 percent interest after the court date which Council can enforce.

Mayor Pro Tem Kinneman asked Thomas if the court heard in the Town's favor would the accumulation of penalties stop under our ordinance but start accruing at an 8 percent interest rate, and Thomas said that it would become a judgment at 8 percent interest.

Kinneman asked Thomas if Council could consider forgiving the fines if the owner of the property brought it into compliance, and Thomas replied that once the fines became a debt that it would be within the power of Council to negotiate to a lesser amount or modify the payment of the fines.

Kinneman asked Thomas to confirm that the Town would not receive any benefit from the fines, and Thomas replied that the fines would benefit the students of Guilford County as 90 percent of the fines would go to Guilford County Schools.

Councilwoman Pittman asked Thomas if the enforcement action or the contempt action would force the property owners to clean up, and Thomas replied that if there was a willful or failure to comply with the regulations then the property owner would be given to the bailiff and put in jail.

Pittman asked if the Town could send a crew to clean up the property, and Thomas replied no.

Schneider thanked Town Attorney Thomas and Planning Director Sean Taylor for their work on this issue. She said that it was unfortunate that the Town had to go in this direction, but it was important for our ordinances have teeth and to keep this from happening in the future.

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

**9. PUBLIC COMMENTS**

None

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

**11. COMMITTEE REPORTS**

**A. Parks & Recreation Advisory Board**

Co-Chair John Garrett reported the P&R Advisory Board held a regular meeting on September 16, 2021, to approve the appointment of Teen Advisor Selby Chipman. He said that the Board approved a request by the Special Events Committee to use fire pits for the Light up the Night event to be held at Oak Ridge Town Park in December 2021. Garrett said that the Board also approved the use of the park by the Piedmont Discovery Scavenger Hunt in March of 2022. He said that the Board approved the Heritage Farm Park Site Plan created by McGill Associates.

**B. Finance Committee.**

Vice Chair Paul Benz reported that the Finance Committee was asked by Council to review options to pay for the construction of Heritage Farm Park. He said that the committee met recently to discuss options including borrowing the bulk of the proposed costs from a financial institution. Benz said that Finance Officer Sam Anders presented the committee with a cash flow budget and a debt service projection which was conservative in nature. He said that the conclusion of the committee was that the Town had the capacity to service the debt associated with the project while still maintaining a healthy fund balance. Benz said that committee members had contacted several banks to get some preliminary indication of rates and terms for the project along with the ability to prepay the debt without penalty. He said that based on the Town's strong financial position and the availability of very attractive borrowing rates and terms the committee concluded with the recommendation to Council to pursue financing for the project.

**C. Water Advisory Board.**

No report

**D. Historic Preservation Commission.**

Chair Debbie Shoenfeld reported that the Historic Preservation Commission did not meet for its regularly scheduled meeting in September due to no agenda items. She said that a design review meeting was held for a property on Williard Road. Shoenfeld said that Bill Edwards and she were working on taking the last photographs of the remaining historic homes in and outside of the historic district for the historic book project. She said that HPC participated in Historic Heritage Day.

**E. Planning & Zoning Board**

No meeting

**F. Mountains-to-Sea Trail.**

Deputy Clerk Ashley Royal read the report, which is hereby incorporated by reference and made a part of the minutes.

**G. Conservation Easement Committee**

No report

**H. Special Events Committee**

Chair Patti Dmuchowski said that the veterans fundraising efforts were continuing to go well. She reported that the committee met with Revington Reaves, consultant design group, to discuss minor changes to the veterans site. Dmuchowski said that the committee would be hosting a Veterans Day Ceremony at the amphitheater on November 11, 2021, as well as a groundbreaking event at the site. She said that the committee made over \$2,500 working the food trailer at Ridgefest and would donate the profits to the veterans site fund. She said that the committee participated in Heritage Day and that the Light up the Night event would be on December 4, 2021, at 4 p.m. with a rain date of December 5, 2021.

**12. COMMUNITY ORGANIZATION REPORTS**

**A. Oak Ridge Elementary School.**

No report

**B. Oak Ridge Youth Association.**

No report

**C. Oak Ridge Military School.**

No report

**13. PUBLIC COMMENTS**

Barbara Engel, 8524 Rosedale Drive, thanked the Town for not mowing the area in Heritage Farm Park that kept the meadow growing milkweed. She reported that the Oak Ridge Garden Club was taking care four different gardens within Oak Ridge.

**14. COUNCIL COMMENTS**

**15. ADJOURNMENT**

*Mayor Pro Tem Jim Kinneman made a motion to adjourn the meeting at 7:56 p.m., and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).*

