



**OAK RIDGE TOWN COUNCIL MEETING  
OCTOBER 1, 2020 - 7:00 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  
Michael Thomas, Town Attorney  
Sean Taylor, Planning Director  
Sam Anders, Finance Officer

**1. CALL TO ORDER**

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

**A. Invocation.**

The invocation was given by Alison Huber.

**B. Pledge of Allegiance.**

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

Schneider stated that the meeting was being livestreamed on Facebook and YouTube, and the link to the recording would be posted on the Town website. Because this was the first time the new camera system was being used and the meeting was being livestreamed, Schneider asked those watching to be patient in case of any glitches.

**3. APPROVE AGENDA**

*Mayor Pro Tem Jim Kinneman motioned to approve the meeting agenda as presented. Councilwoman Martha Pittman seconded, and the motion was passed unanimously (5-0).*

**4. APPROVAL OF MEETING MINUTES**

Schneider said she had found some possible substantive changes to the August 6 meeting minutes, and the minutes could either be tabled or approved as is and then reapproved after the changes were made. She said the September 3 regular meeting had been circulated and September 10 special meeting minutes were not yet available.

*Councilman Doug Nodine made a motion to approve the minutes of the September 3, 2020 regular meeting and to postpone approval of the August 6 regular meeting and September 10 special meeting minutes. Councilman George McClellan seconded, and the motion was passed unanimously (5-0).*

**5. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- None

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

Lt. Jeremy Fuller of District 1 of the Guilford County Sheriff's Office reported there had been 114 calls for service in September, one Part 1 larceny, which included pallets stolen from Lowes Foods, a motor vehicle breaking & entering with a wallet stolen from a vehicle on Beeson Road, and a report of a larceny of a motor vehicle, which may have been reported because the vehicle had been repossessed. Fuller also introduced the Council to Lt. Gaspar of District 1.

As a crime prevention tip, Fuller warned meeting attendees to lock their vehicles and remove all valuables from them. He also urged residents to secure their lawn equipment, even when they are working outside the house

- Councilman McClellan asked if the Sheriff's Office had increased traffic stops and speed limit enforcement in the Oak Ridge area. Fuller said he had asked that the radar trailer be put out again and that several tickets had been written.

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

Cole Wyatt reported that the number of calls received in September was average since the coronavirus pandemic had started, saying there had been 27 fire-related calls, six service calls – which were likely for trees in the road – and the department had responded to 25 emergency medical events. Wyatt said there had been an average of eight paid and volunteer firefighters that responded to each call. He said there had been a total of 610 man-hours of training for paid and volunteer staff. He also said the department had attended an extrication class with assistance from Thomas Built Buses.

Wyatt's fire prevention tip for the month was to beware of cooking fires, which typically begin to increase this time of year. He said the kitchen is the most dangerous room in the house and about 39 percent of home fires start there. He encouraged residents to purchase a fire extinguisher or a stovetop fire stop, at a cost of about \$50. He left brochures on the table about the fire stop, which is installed under the stove hood and which automatically goes off in the event of a fire.

**8. PUBLIC HEARINGS**

- A. **RZ-20-03:** AG (Agricultural) to RS-40 (Residential). The property is located north of Bentrige Forest Drive, approximately 1,150 feet north of the intersection of Vanhoy Road and Bentrige Forest Drive, in Oak Ridge Township. It is Forsyth County Tax Parcel 6990-30-1268.00, consisting of approximately 35.6 acres, and is owned by Mary A. Leight.

Planning Director Sean Taylor presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the request was for a straight RS-40 rezoning with no conditions. He said the property is identified by a Forsyth County Tax Parcel number because the majority of this large tract is located in Forsyth County. Taylor said although the staff report says there has been no public outreach, the developer said he had reached out to several neighbors. He said the Planning & Zoning Board had unanimously recommended approval of the rezoning.

Mayor Schneider opened the public hearing.

*Proponents:*

- Greg Garrett, representing RS Parker Homes LLC, 6420 Hampton Knoll Road in Clemmons, NC, spoke in favor of the rezoning. Garrett said the rezoning has been somewhat difficult because the tract involves three jurisdictions – Oak Ridge, Stokesdale and Forsyth County. He said the entrance point to the development was actually in Stokesdale, but it will include about 25 lots in Oak Ridge; the total tract is about 127 acres. He said in the last couple of weeks, he had spoken to about half the neighbors, and he would be surprised to learn of any opposition. He said they planned to construct the development similar to the Bentrige Forest neighborhood in terms of lot size and home values. He said more than 50 lots had frontage on Belews Lake, so those will likely be more expensive than the others. Garrett said he felt RS-40 was the highest and best use for the property, and neighbors seemed to be excited that they would be able to get high-speed internet as a result of the subdivision, as well as public water.

*Opponents:*

- None.

With no need for rebuttal, Mayor Schneider closed the public hearing.

*Council questions/comments:*

- Councilman McClellan asked Garrett if he had been able to obtain permission to connect to a public water source. Garrett said they had spoken to the Town of Stokesdale about purchasing water from them and that they were amenable.
- Mayor Pro Tem Kinneman asked if there were any plans for public trails. Garrett said there were opportunities, but no formal plans had been made at this point. Kinneman encouraged Garrett to do so.
- Councilman Nodine had no questions or comments.
- Councilwoman Pittman said she was also interested in trails. She said she believed the property included some flood plains that could not be built upon, which might be a good location for trails.

- Mayor Schneider asked if the project was located in the Town's Extraterritorial Jurisdiction (ETJ), and Taylor said yes. She said the property was a long way from the center of Town, and while the Town often considers pursuing voluntary annexation of such a property, she was not sure that would make sense in this case because of the distance.

*Councilwoman Martha Pittman made a motion to approve the proposed zoning amendment 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.*

*AND*

2. *The proposed zoning amendment is reasonable. The Council considers the proposed zoning amendment to be reasonable because the report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.*

*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 the report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.*

*Councilman McClellan seconded the motion, and it was passed unanimously (5-0).*

- B. **Text amendment:** Amendments proposed to Chapter 30 (Land Development) of the Oak Ridge Code of Ordinances to amend portions of the zoning ordinance. Proposed amendments include Article VII- Zoning.

Planning Director Taylor said he had been working on the text amendment for the last few months with a subcommittee of the Planning & Zoning Board. He said the overall goal was to begin making the ordinance more in line with the Council's vision for the Town to have a village feel. He said when the Development Ordinance was originally adopted, Oak Ridge had just taken Guilford County's ordinance and inserted the Town's name. He said some of the uses included were light and heavy industrial uses. Taylor said he and the subcommittee went through Chapter 30, Article VII and through the permitted use tables and tried to eliminate zoning districts such as Highway Business, Corporate Park, Light Industrial and Heavy Industrial. He said the uses that would be allowed were Agricultural, General Office-Moderate, Neighborhood Business, Limited Business, General Business and Shopping Center. The Town Attorney had reviewed and made some clarifications and language changes, and the text amendment had then been presented to the entire Planning & Zoning Board, which had recommended approval.

Mayor Schneider opened the public hearing.

*Opponents:*

- None

*Proponents:*

- None

With no need for rebuttal, the Mayor closed the public hearing.

*Council questions/comments:*

- Councilman McClellan asked what would happen to properties that already had the zonings that are being removed. Taylor said they would keep their same zoning, which would be grandfathered. He clarified that there would be no new Highway Business, Corporate Park, Light Industrial or Heavy Industrial districts. He said some of the district types – for example, General Business and Highway Business – are nearly identical.
- Mayor Pro Tem Kinneman asked if that caused some of the properties to become nonconforming. Taylor said the General Assembly had amended the zoning statute so that now landowners get a choice of whether to keep their existing zoning or change it. Kinneman said he wanted to ensure that the Town does not create any hardships for existing businesses.
- Councilman Nodine asked what would happen if the property were sold to another owner. Taylor said the zoning would remain the same, since zoning runs with the land, not the owner.
- Councilwoman Pittman said her questions had all been answered.
- Mayor Schneider thanked Taylor and the subcommittee for their work in creating the text amendment. She asked if the text amendment would help promote walkability in the Town Core. Taylor said yes, but the text amendment was more to prevent someone from asking for a zoning such as Heavy Industrial that did not fit in. Schneider asked if the intent was to remove some of the zoning classifications and consolidate the types of zoning available, and Taylor said yes.
- Nodine asked if this was the first step in developing a village feel in the Town, and whether there would be additional changes in the future to the Development Ordinance. Taylor answered yes to both questions.

*Councilman George McClellan motioned to adopt the text amendment as presented. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).*

**9. PUBLIC COMMENTS**

- None

**10. TOWN MANAGER'S REPORT**

**A. Consideration of camera and monitor purchase for Town Hall conference room.**

Town Manager Bill Bruce explained that the proposed camera and monitor purchase were unbudgeted changes to the conference room. He explained that the expense would likely be reimbursed as a Coronavirus Aid, Relief, and Economic Security Act (CARES) Act expense, but that would not be known until it had been purchased and the receipt submitted for reimbursement.. He said as the concerns about COVID-19 continue, people will have different comfort levels about whether to meet electronically or in person. He had asked Camcor, the company who

installed the monitors and cameras in the Council chambers, to provide a proposal for a large monitor with a camera and microphone in the conference room. Bruce said the system would provide remote meeting capability, but it would also allow for a combination of remote and in-person meetings. He said the expense, which would include a small laptop computer, would be no more than \$8,000.

*Mayor Pro Tem Kinneman moved to approve an allocation of \$8,000 for the conference room equipment. Councilwoman Pittman seconded the motion.*

Councilman McClellan said he was in favor of the purchase because it would provide transparency to citizens. He asked if special meetings held in the conference room could be videoed and streamed on Facebook or some other platform. Bruce said yes.

Councilman Nodine asked what would happen if the electronics equipment was not covered under the CARES Act. Bruce said Council would have to be willing to absorb the cost. He added that would be a worst-case scenario, but said the Town would not know until the receipt was submitted.

Mayor Schneider said often committees want to do presentations and the older system now in the conference room was not adequate. She asked if the equipment could also be used for Zoom meetings, and Bruce said yes.

*Council's vote in favor of the motion was unanimous (5-0).*

**B. Update on Parks and Recreation Trust Fund (PARTF grant).**

Bruce reported that the Town's application for a \$450,000 grant had been denied, even though the Town had the 10<sup>th</sup> highest score out of a total of 66 applications. He said based on feedback from the consultant, the awards committee had appeared to favor applications that had been submitted once or twice before. Bruce said the consultant has said it would be all right to submit the same application for the next round of grant funding next year, but Council would need to decide if it wanted to do that and if it wanted to do any work in the meantime. He pointed out that the Council chambers is being used for Early Voting, and said he was trying to find a location for a special called in-person Council meeting that had enough space to allow social distancing.

**11. MONTHLY FINANCIAL UPDATE**

Finance Officer Sam Anders presented the financial report, which is hereby incorporated by reference and made a part of the minutes. He also asked that Council approve the required annual engagement letter with his firm. He added that he was requesting an increase from \$75 to \$85/hour, which was the first increase he had requested since 2012.

*Councilwoman Pittman moved to approve the updated engagement letter including the rate increase. Mayor Pro Tem Kinneman seconded the motion, and it was passed unanimously (5-0).*

*Councilman McClellan moved to accept the financial report as presented. Councilwoman Pittman seconded the motion, and it was passed unanimously (5-0).*

**12. COMMITTEE/COMMUNITY ORGANIZATION REPORTS**

**A. Historic Preservation Commission.**

Chair Debbie Shoenfeld reported that the Commission held its regularly monthly meeting via Zoom on September 23. It approved a COA application submitted by Chace and Marie Lyerly to construct an accessory building at 8430 Linville Road.

**B. Planning & Zoning Board.**

Town Clerk Smith read a report submitted by Nancy Stoudemire, vice chair of the Board. The report is hereby incorporated by reference and made a part of the minutes.

**C. Oak Ridge Elementary School.**

Town Clerk Sandra Smith read a report submitted by Penny Loschin, principal of the school, which is hereby incorporated by reference and made a part of the minutes.

**D. Mountains-to-Sea Trail Committee.**

Co-chair Bill Royal submitted a report that was read aloud by Smith and which is hereby incorporated by reference and made a part of the minutes.

**E. Conservation Easement Committee.**

No report

**F. Special Events Committee.**

Chair Patti Dmuchowski reported that the Committee met on September 8 and continued discussions of fundraising and publicity for the proposed veterans' memorial. Revington Reaves, a landscape architecture firm, has presented two different plans for the memorial. Individual presentations will be made to Council and members of the Parks & Recreation Board. A community open house is scheduled for November 10 at Town Hall to accept comments from the community on the memorial design.

**G. Parks & Recreation Advisory Board.**

Smith read a report submitted by Phyllis Anders, vice chair of the Board, which said no meeting was held in September and the Music in the Park event scheduled for October 10 has been canceled.

**H. Finance Committee.**

No report.

**13. PUBLIC COMMENTS**

- None.

**14. COUNCIL COMMENTS**

**15. ADJOURNMENT**

*Mayor Pro Tem Kinneman made a motion to adjourn the meeting at 8:34 p.m Councilman McClellan seconded, and the motion was passed unanimously (5-0).*

Respectfully Submitted:

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Sandra B. Smith, CMC, NCCMC  
Town Clerk

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Ann K. Schneider  
Mayor