



**OAK RIDGE TOWN COUNCIL MEETING
APRIL 4, 2024 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Jim Kinneman, Mayor
Mike Stone, Mayor Pro Tem
Ann Schneider
Michael Greeson
Jim Harton

Staff Present

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

1. CALL TO ORDER

Mayor Jim Kinneman called the meeting to order at 7:00 p.m.

A. Invocation.

Daphne Rupard offered the invocation.

B. Pledge of Allegiance.

Mayor Jim Kinneman recognized representatives of Northwest Middle School Student Ambassadors.

2. APPROVAL OF AGENDA

Kinneman made a motion to move Agenda Item 4 to occur after Item 6, to delete Item 8 B, and to add the discussion with county commissioners regarding the allocation of funds to support the Town's water system as Item 9 E. Town Clerk/Assistant Town Manager Sandra Smith added the deletion of Agenda Item 3 B to the motion.

Councilwoman Ann Schneider made a motion to approve the agenda as amended and Mayor Pro Tem Mike Stone seconded. The motion was passed unanimously (5-0).

3. APPROVAL OF MINUTES

Mayor Pro Tem Stone made a motion to approve the minutes of the March 7, 2024, regular meeting, and the revised minutes of the February 14, 2024, special meeting, and Councilman Michael Greeson seconded the motion. The motion was passed unanimously (5-0).

5. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE

No representative from the Guilford County Sheriff's office was present nor was a report made available prior to the meeting.

6. REPORT FROM OAK RIDGE FIRE DEPARTMENT

Lieutenant Jesse Hopper from Station 51 reported that a total of 65 calls were responded to during the month of March. Of these calls, 31 were for rescue, one was for a structure fire, one was for a vehicle fire, two were brush fires, four were false alarms, and 26 were responses to miscellaneous situations. He reported 576 hours of training for personnel. Hopper encouraged everyone to move to the right when they see emergency lights to allow for safe passage of the emergency vehicle. Mayor Kinneman inquired into the status of training at the new fire tower. Hopper indicated that training was proceeding well, and that actual use of the fire tower would occur soon.

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

Resolution of censure

Councilman Jim Harton read Resolution R-2024-03, A Resolution of Censure of Mayor Pro Tem Mike Stone, which is hereby incorporated by reference and made a part of the record.

Mayor Pro Tem Stone responded with a verbal apology for the inappropriate comments he made during the Town Council meeting on February 1, 2024, and for not addressing the issue in a timely manner. He committed himself to working more deliberately in serving the citizens.

Harton asked if the apology was directed at citizens of Oak Ridge in general or specifically to Mr. McClellan as requested. Stone responded that the apology was intended for anyone in the town. Harton noted concern that an apology had not been specifically directed to Mr. McClellan, and Stone stressed the finality of his comments. Harton stated that the non-specificity of the apology required that the resolution of censure stand and urged the resolution be adopted.

Councilman Jim Harton made a motion to adopt Resolution R-2024-03 and Councilwoman Ann Schneider seconded.

Harton requested moving forward with the resolution of censure.

Councilwoman Schneider stressed the value of respect and decorum especially while in the roles of serving the citizens as council members. She pointed out that an

apology from Stone was also not directed at members of Council and shared concerns from citizens about the negative effects of such behavior. She said that the censure resolution could have been avoided had a prompt apology been made by Stone.

Councilman Michael Greeson objected to Schneider's comments pointing out that a censure of Mr. McClellan was not sought after he had engaged in a similarly disparaging manner on December 5, 2023, when Schneider was mayor. He raised a second identical past incident involving McClellan during a council briefing in response to which a staff member reacted to diffuse the situation. He stressed that Schneider did not at the time stand up against these events and questioned her present actions as being politically motivated.

Harton emphasized that his concerns regarded the current council's standards for behavior over past council's standards.

Schneider explained that the event alluded to by Greeson on December 5, 2023, occurred outside of a public meeting which thereby rendered the Code of Ethics inapplicable. She added that Stone's reaction to the inappropriate remark was a worse offense and pointed out that she had intervened to neutralize the excitement and urge calmness. She pointed out that Greeson was not present at the event, but that staff members present at the event could offer evidence to support her statements. Schneider re-emphasized that focus should be centered on current council standards for behavior, reflecting that this type of behavior targeted at residents had never occurred in past councils and that decorum and self-control should be a requirement in the behavior of council members.

Kinneman questioned the applicability of the Code of Ethics to situations, venues or numbers of people present during the occurrence of a violation. He explained that he believed that the Code of Ethics should apply unconditionally and should always be applied evenly and fairly. He said that he was disappointed in the behavior of both Stone and McClellan but noted the repeated offenses by McClellan in the past, regardless of having offered an apology for each offense, should have also been addressed punitively. Kinneman suggested an amended motion which stated disapproval of both parties and their individual offensive events to illustrate Council's intent to restore the Code of Ethics to all situations evenly and fairly. He expressed that the offenses undermined the value of mutual respect and damaged trust and cohesion within the community. Kinneman urged unequivocal condemnation of the derisive behaviors displayed by both Stone and McClellan and offered assurance that Council would address such behavior in the future with fairness and promptness.

Mayor Jim Kinneman made a motion to approve the amended motion as presented, and Councilman Mike Greeson seconded.

Kinneman said that Stone had not offered a direct apology to McClellan and asked that he reconsider his posture on that apology. Stone remarked that he would not modify his apology to include a direct apology to McClellan. Schneider said that she considered the threatening nature of Stone's reaction on December 5, 2023, to be a greater offense than McClellan's inappropriate remarks. She pointed out that

McClellan was no longer a member of Council thus making a censure of him moot. She pointed out that McClellan had made an apology for the first incident and thereby effectively closed the matter. As to the incident on December 5, 2023, she noted that neither Stone or McClellan offered apologies for the December 5 incident so that too should be considered a closed and past incident. She commented on the absurdity of making all past improper behavior of council members accountable to the Code of Ethics.

Harton stressed again that the resolution of censure he introduced bore no relevance to past violations, but that it was an opportunity for Council to raise its standards moving forward. He said that he believed the proposed amended motion lowered the standards of behavior by offering forgiveness for what should not be forgiven and displayed irresponsibility on the part of the mayor and the member of council to propose and second that motion. Harton reiterated his support for the original resolution proposed, believing it to be the proper way for Council to proceed.

Town Attorney Michael Thomas interjected to clarify that the motion introduced by Kinneman was a substitute motion and not an amended motion.

Schneider questioned if a vote on a substitute motion would be valid if it were not presented in writing and introduced without prior knowledge of all voting members on Council. Thomas replied that a vote on a substitute motion presented orally would be valid.

The motion to approve the substitute motion as presented failed (2-2) with Mayor Jim Kinneman and Councilman Mike Greeson voting for, Councilman Jim Harton and Councilwoman Ann Schneider voting against, and Councilman Mike Stone not voting per the Council's Rules of Procedure.

The motion to approve Resolution R-2024-03 failed (2-2) with Councilman Jim Harton and Councilwoman Ann Schneider voting for, Councilman Jim Kinneman and Councilman Mike Greeson voting against, and Councilman Mike Stone not voting.

With the failure of both motions, Kinneman closed the matter for discussion.

7. PUBLIC COMMENTS

Chuck Salmon, 8505 Merriman Road, commended the mayor for bringing the matter of censure to a close noting his disappointment of votes cast and comments made during the process of discussion. He believed the impropriety displayed was a result of poor judgment unintended for public consumption but caught on recording. He believed both parties were equally at fault for unseemly conduct.

Debbie Shoenfeld, 8501 San Siro Farm Court, said her understanding was that failure to vote on a matter by a council member was automatically recorded as a vote in favor. She questioned if any individual stepping forward to offer public commentary would also be subject to slander by Mayor Pro Tem Stone and Councilman Greeson, noting their previous open disrespect of a proven leader and

member of the community during his public comment. She stated that Stone and Greeson lacked character, trustworthiness, and leadership qualities. She noted that their behavior would be under scrutiny.

8. TOWN MANAGER'S REPORT

A. Consideration / Approval of Revised Continuity of Government Plan (COG)

Town Manager Bill Bruce explained that the request was to update the Town's contact information for the Guilford County Emergency Management Department for use in the event of an emergency.

Councilman Jim Harton made a motion to approve the revised Continuity of Government Plan and Councilman Mike Greeson seconded. The motion was passed unanimously (5-0).

9. NEW BUSINESS

A. Conservation Easement Committee presentation of mission and projects.

Conservation Easement Committee Chair Stephanie Ferrell and Vice Chair Ron Simpson presented information on the Committee's mission, projects, and the CORE (Conserving Oak Ridge through Easements) Initiative Grant program which is hereby incorporated by reference and made a part of the record.

Stone asked for an explanation of the costs associated with procuring easements and for determining what conditions would be included in an easement agreement. Ferrell responded that conditions of an easement are negotiated between the partnering organization and property owner and consequently written into the agreement. Stone asked if terms would need to be predetermined prior to an agreement, and Ferrell responded affirmatively. Schneider explained that costs to regularly oversee all easement properties to ensure compliance to the conditions of the agreement add to the expense of an easement as do legal fees anytime an infringement to these conditions occurs.

B. Consideration/Approval of Memorandum of Understanding with Piedmont Land Conservancy

Bruce explained that the Memorandum of Understanding outlined both the Town's and Piedmont Land Conservancy's responsibilities in developing and funding a conservation easement agreement.

Kinneman pointed out the stipulation defined in paragraph nine of the memorandum which relinquished the Town from its funding obligation in the event that funds are insufficient to cover the transactional costs of the agreement and the landowner was unable to pay any portion that the Town did not pay.

Councilwoman Ann Schneider made a motion to approve the Memorandum of Understanding with Piedmont Land Conservancy and Councilman Jim Harton seconded. The motion passed unanimously (5-0).

C. Consideration/Approval of O-2024-02 Solid Waste Franchise Ordinance (Second Reading)

Bruce explained that a second reading of the Ordinance was a statutory requirement. He noted that a summary of the ordinance had been given in last month's Council meeting.

Kinneman asked if rates increased due to inflation, and Bruce replied that the rates were increased by 3%. Kinneman noted that services provided by the GFL Environment franchise had been satisfactory, and Bruce added that complaints to the organization were handled swiftly and sufficiently addressed.

Mayor Pro Tem Stone made a motion to approve O-2024-02 Solid Waste Franchise Ordinance and Councilwoman Ann Schneider seconded. The motion passed unanimously (5-0).

D. Consideration/Approval of adoption of Interlocal Agreement on Tax Collection

Bruce explained that the Town had contracted with Guilford County Tax Department for the collection of municipal taxes since it was incorporated in 1998. Excluding motor vehicle revenue, the county charged the Town 0.62% of all collections to perform this service. He noted that the previous year's fee based on revenues collected totaled approximately \$7,000. Bruce pointed out that the Board of County Commissioners adopted an increased rate of 0.75% which would amount to approximately \$1,500 more per year. He added that the agreement's term would be extended to June 30, 2029.

Kinneman noted that the fee rate had not changed since 2012. Bruce added that rate adjustments would be subject to Council's review prior to agreement.

Mayor Pro Tem Mike Stone made a motion to approve the adoption of the Interlocal Agreement on Tax Collection, and Councilman Mike Greeson seconded. The motion passed unanimously (5-0).

E. Consideration/Approval of Request to Guilford County Commissioners to allocate \$160,000 to fund the engineering of the Town Core Water Loop

Kinneman indicated that his recent attendance at the County Commissioners' retreat revealed interest from the commissioners to support a funding request from the Town for the engineering of the Town Core Water Loop. Schneider added that her recent communication with County Commissioner Pat Tillman indicated similar favor for funding support for the project.

Harton stated his support of making the request to the County Commissioners for funding.

Schneider added that the funding support would advance the project and make it more appealing to future potential fund requests. Kinneman emphasized his understanding that the Commissioners favored projects which improve infrastructure in the county and believed the request would be considered positively by the Commissioners.

Councilman Jim Harton made a motion to approve submitting a request to the Guilford County Commissioners for funding support for the engineering project of the Town Core Water Loop, and Councilwoman Ann Schneider seconded. The motion passed unanimously (5-0).

10. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented the financial report for the month of March, which is hereby incorporated by reference and made a part of the minutes. He added that a single audit was anticipated to address ARPA grant funding at both the state and federal levels.

Councilman Jim Harton made a motion to approve the financial report as presented by the Finance Officer, and Councilwoman Ann Schneider seconded. The motion was passed unanimously (5-0).

11. COMMITTEE REPORTS

A. Historic Preservation Commission

Chair Debbie Shoenfeld reported that the Commission continued their deliberation of a scheduled COA to the following month's meeting due to the absence of the applicant at the March 20 meeting. She noted that the Commission discussed budget adjustments, planning walking tours during the Oak Ridge Elementary School's 100-year celebration, and advancing the Historic Oak Ridge book to its final stages before publication.

B. Planning & Zoning

No report.

C. Mountains-to-Sea Trail Committee

Chair Anne Steele reported that the committee met on March 26 to discuss the conditions of the Headwaters trail affected by debris and runoff due to heavy rains and poor erosion control at the construction site of the adjacent Riverside development. She noted that inspectors with the Guilford County Erosion Control sector had been working with the developers to repair the situation. Steele commented on the committee's engagement with student ambassadors at Northwest Middle School who would be assisting the committee's various endeavors. She announced trail workdays on April 20 and 25.

D. Conservation Easement Committee

Chair Stephanie Ferrell announced the committee's next meeting was scheduled for Wednesday, April 17.

E. Special Events Committee

Chair Patti Dmuchowski reported that \$11,100 had been raised since January 1, 2024, for Phase Two of the Veterans Honor Green project. She pointed out that \$1,950 was raised in donations in response to the ad placed in the Northwest Observer. She noted that decorated Army Special Forces member Christian Castelli would be the guest speaker at the Memorial Day Observance at Town Hall on May 27, and that the first female police chief of Rowan County, Sharon Hovis, would be the guest speaker at the Veterans Day Observance on November 11, 2024. Dmuchowski indicated that Confident Kids Pediatric Dentistry had offered to donate a children's bicycle to raffle at the July 4th Kids' Bike Parade.

F. Tree Committee

No report.

G. Parks & Recreation Advisory Board

Co-Chair Adrian Eckenrod reported that the board met on March 21 and discussed progress at Heritage Farm Park. He noted that the playground was complete but that this section of the park remained closed due to ongoing construction and equipment located in the area. He pointed out issues with use of the park despite its closure and noted concerns for maintaining safety in that area. He added that asphalt repair was forthcoming to sections of the path around the park, issues with drainage and sink holes requiring a change order to repair were being addressed, and that planning efforts for an Opening Ceremony of the park on May 4 were ongoing. He reported that two charity events proposed by students from the Early College at Guilford had been approved to occur on April 20 and 27. Eckenrod discussed the park security proposals submitted to the Board and indicated that the proposal made by RJ Young was being pursued for additional changes and information.

Board member Caroline Ruch reported on the planning activity for the May 4 opening ceremony of Heritage Farm Park. She indicated that Scouts would perform the Presentation of Colors and a ribbon cutting ceremony would take place. Ruch said that food vendors, live music and pony rides were also being planned.

Town Clerk/Assistant Town Manager Sandra Smith announced the tenth annual Canine Capers event was scheduled for April 27, 2024.

H. Finance Committee

Chair Stuart Mease reported that the committee had met three times this year to discuss recommendations to make on the proposed budget. He noted that the committee recommended keeping the tax rate the same. He pointed out that increases were experienced in property tax receipts due to an increase in the

number of homes, as well as sales tax, ABC revenue, and interest earnings. He similarly noted increases in expenses due to the audit and the addition of salaries and maintenance expenses were affected by the addition of Heritage Farm Park. Mease elaborated on the positive impact of the Town's investments by pointing out a 47 percent increase in the median cost of listing prices for homes from 2021 to 2024.

I. Water Advisory Committee

Chair Spencer Sullivan reported that the committee received a status report on the water tower and water transmission main projects from Wooten at the March 27 meeting. He noted that the plans for the elevated water tank were complete and would be bid out once approval from the state was obtained. He stated that the water transmission main design was approximately 50 percent complete. Sullivan added that the committee discussed the Village Woods HOA's request to convey the ownership and operation of its community well to the Town. He believed the committee would make recommendations on the agreement to Council in May.

12. COMMUNITY ORGANIZATION REPORTS

A. Oak Ridge Elementary School

No report.

B. Oak Ridge Youth Association

No report.

C. Oak Ridge Military Academy

No report.

13. PUBLIC COMMENTS

Heath Clay, 1100 Stallion Court in Summerfield, introduced himself as a new council member in Summerfield. He appealed to Council and the Town for support in Summerfield's fight against the de-annexation of one thousand acres of non-contiguous land in the heart of Summerfield which is being proposed in House Bill 5.

George McClellan, 2806 Oak Ridge Road, stated his support of making a request to Guilford County Commissioners for funding support of the Town's water project.

Michael Logan, 5202 Rambling Road in Greensboro, announced upcoming events at Guilford County Schools and the school board.

Terry Hammond, 1815 Oak Ridge Road, said that the historic value of her home, the Sanders-Blaylock House, despite having been designated on the National Registry of Historic homes as a landmark and having received a historic marker by the Town

would not be protected against demolition without a preservation easement written into its deed. She urged the preservation of historic property through preservation easements with the assistance of CORE initiative grants.

Carol Kinneman, 8502 Hollow River Court, spoke as a resident and not as the mayor's wife to encourage a spirit of cooperation over dissension among the Town's elected officials. She noted that differences of opinions among members should not be a point of contention but instead an opportunity for discourse of diverse opinions and thoughts.

14. COUNCIL COMMENTS

Referencing the failed Resolution of Censure of Mayor Pro Tem Stone, Harton expressed disappointment in what he believed was a missed opportunity to firmly set a standard moving forward on Council regarding standards for behavior of its members. He said he had submitted his draft resolution to Mayor Kinneman, who made some editorial recommendations. He added that he had done so in good faith, and he felt Kinneman's introduction of a substitute document without his knowledge was deceitful. Harton clarified that the resolution was crafted without Town Hall staff involvement.

Schneider intoned a similar sense of disappointment in the failed resolution. She stressed that homes in the Historic District were not protected from demolition and reflected on retired NC Representative Jon Hardister's key role in supporting Oak Ridge's initiatives and in defending against legislative encroachments on local zoning authority.

Stone referenced a training exercise which he habitually used in corporate practice, summarizing that all individuals are good with honorable intentions and no one individual knows everything, therefore discourse of diverse opinions is beneficial. He provided reference to scripture passages to encourage reflection by all.

Kinneman stated his intention to create a substitute motion to the resolution of censure was a political strategy intended to achieve his goal for resolution and for it to work, he needed to not communicate it in advance. Regarding the request for support against de-annexation, he encouraged citizens to contact their state legislators on any matter of concern.

15. ADJOURNMENT

Mayor Pro Tem Mike Stone moved to adjourn the meeting at 8:50 p.m., and Councilman Mike Greeson seconded. The motion was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, CMC, NCCMC
Asst. Town Manager/ Town Clerk

Jim A. Kinneman
Mayor