



**OAK RIDGE TOWN COUNCIL MEETING
JUNE 1, 2023 - 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
Sandra Smith, Asst. Town Mgr./Town Clerk
Sean Taylor, Planning Director
Michael Thomas, Town Attorney
Sam Anders, Finance Officer

Members Absent

Spencer Sullivan

1. CALL TO ORDER

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

A. Invocation.

Paul Kress, member of the Finance Committee, offered the invocation.

B. Pledge of Allegiance.

2. APPROVAL OF AGENDA

Councilwoman Martha Pittman made a motion to remove Item #9 under New Business, the Consideration/Approval of the Park Entrance Master Plan from the agenda, and to postpone its discussion until the Special Called Meeting to be held on June 8, 2023, at 10:30 a.m. Councilman George McClellan seconded, and the motion was passed unanimously (4-0).

3. APPROVAL OF MINUTES

Councilwoman Pittman made a motion to approve the minutes of the May 4, 2023, regular meeting, and Councilman Jim Kinneman seconded. The motion was passed unanimously (4-0).

4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

Mayor Schneider read a proclamation in honor and memory of the late Reverend Dr. James A. Webster of Oak Ridge First Baptist Church, which is hereby incorporated by reference and made a part of the minutes.

Canine Capers Committee members Chelsea Young and Lori Lucion presented donation checks from the Canine Capers event held April 29, 2023, to North Star Bloodhounds, Red Dog Farm Animal Rescue and Ruff Love Rescue.

5. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE

Sergeant S. Joseph reported that 203 calls for service were made during the month of May that resulted in 23 formal cases. He said that one felony habitual larceny charge was made against two individuals for taking an unsecured lawnmower on May 11, 2023. The individuals were identified and apprehended with the assistance of security video footage from neighbors.

6. REPORT FROM OAK RIDGE FIRE DEPARTMENT

Engineer Justin Owens reported that 81 calls for service were made during the month of May. Additionally, employees and volunteers spent 672 hours in training and two staff members attended the Officers' Training at Guilford Technical Community College.

7. PUBLIC HEARING

A. 2023-24 Fiscal Year Budget and Consideration/Adoption of Ordinance O-2023-01 adopting the 2023-24 Fiscal Year Budget

Town Manager Bill Bruce told Council that he had presented the budget last month and that nothing had changed since the budget was released. He said that the draft budget had been available for the public to view at town hall, on the town's website, and was on the back table for tonight's meeting. Bruce said that the proposed budget reflected the realization of the long-term strategic vision that Town Council had laid out in the Strategic and Capital Improvement Plans (CIP). He pointed out that with several major capital investments programmed into the budget, the budget anticipated a fund balance of more than \$2 million while maintaining the current tax rate, funding these initiatives, and maintaining adequate reserves through the end of FY2023/24.

Finance Chairman John Jenkins said that the Finance Committee studied last fiscal year's actual expenses and revenue and compared it to the projected financials for fiscal year 2023/24 line by line. The committee sought explanations from the representing council members for any differences between the two financials. He said that the committee looked carefully at the impact of the capital projects on the fund balance, tax rate, and the taxpayer while also examining how to finance the projects. Jenkins noted that with the capital projects programmed into the budget it allowed for a fund balance of more than \$2 million and recommended the proposed budget as responsible.

Mayor Schneider opened the public hearing.

Councilman Kinneman stated his discomfort with proceeding with a “Pro/Con” discussion of the proposed budget and that he did not recall this format of discussion from the previous year. Mayor Schneider recollected a “Pro/Con” format from the previous year but asked Town Manager Bruce for verification. He verified that this format was the standard for discussion from previous years. Bruce stated that speakers did not have to specifically speak for or against the budget but could comment in question form.

Proponents:

Patti Dmuchowski, 7320 Hidden View Drive, voiced her support for the budget as it provided financing for both the larger capital projects as well as the community-based projects, all of which support the town’s growth.

Barbara Engel, 8524 Rosedale Drive, stressed that the budget allowed the town to continue offering events which bring the community together and draw positive attention to the town.

John Browning, 8024 Linville Road, emphasized the benefits of the town’s parks and proposed municipal water system, both of which were reasonably supported by the budget.

Paul Kress, 5809 Willow Way Court, read a statement provided by Stuart Mease, 1810 Wild Fern Drive, who could not attend the meeting. The letter conveyed support of the budget for its promotion of present as well as future town initiatives. The letter noted that the town boasted the highest housing value, household income, and the lowest tax rate than any other zip code in the Triad, while being the financially healthiest municipality in the state.

John Garrett, 8604 Bromfield Road, noted that the large budget reflected the standard of living desired by residents and laid the groundwork for future quality of life in the town.

Jim Harton, 5901 Pepper Road, stressed that budgets were not static and reflect changes in opportunities and priorities. He said that this budget was consistent with the Strategic Plan.

Opponents:

Michael Smith, 5904 Tarleton Drive, clarified that he was not commenting in opposition to the budget but requesting an improvement in the bidding process of capital projects. He suggested a 45-day pause in consideration/approval of a project following the receipt of qualified bids where the lowest bid received was 30 percent or higher than the projected cost of the project. He commented that this would allow taxpayers time to voice their opinions.

Rebuttals:

No rebuttals were made in favor of or in opposition to the proposed 2023-24 Fiscal Year budget.

Mayor Schneider closed the public hearing.

Councilman McClellan moved to approve the 2023-24 fiscal year budget and Ordinance O-2023-01 adopting the 2023-24 fiscal year budget, and Councilwoman Pittman seconded.

Council discussion:

Councilman McClellan agreed that the budget was the largest the town had experienced, but he believed it to be responsible. He stressed that the two council members who sat on the Finance Committee do not retain any voting rights and that their role was to answer questions as they arise in meetings. McClellan noted that the projects programmed into the budget would help to address the challenges anticipated with the Boom Supersonic and Mitchell Aviation enterprises which will bring approximately 2,500 jobs into the area. He offered support to the proposed salary increase for town staff and pointed out how the tax rate had remained unchanged.

Councilman Kinneman advocated removing the proposed increase in council stipend and suggested reallocating the savings to the capital projects. He said that inflation had impacted costs of the projects and these savings would help to alleviate that burden. He cited as an example offloading the approximate \$25,000 cost difference between using asphalt versus turf block in the parking lot of the Farmhouse Community Center. Kinneman stressed that raising the stipend would not impact incentives to run for town council. He stated that he would not support the budget in protest of the proposed stipend increase.

Councilwoman Pittman said the budget was ambitious as it reflected multiple long-range planned projects coming online at the same time as well as significant grant funds. She pointed out that the proposed budget captured just one year's worth of finances out of a scope of several years of past and future planning for multiple projects. She stressed that grant funding would cover 70 percent of the CIP budget items. At the completion of these projects, she said that the town would benefit from a water system, improved traffic flow, added sidewalks and trails, protected open spaces, Heritage Farm Park with a Veterans memorial, and the Farmhouse Community Center for enhanced community gatherings. Pittman then addressed the topic of increasing the council's stipend. She mentioned that this had been an issue under discussion over the last three years. She expressed that the value of the stipend was greatly outweighed by the investment of time and personal expenses given to the town in the form of service through community involvement by council members. Pittman concluded by pointing out how the budget supported many other projects such as monthly luncheons for seniors, a partnership with Oak Ridge Youth Association, preserving the town's history through the Historic Heritage Grant program, and numerous conservation efforts. She said that she believed that the budget as a whole met the present and future needs of the town's residents in a fiscally responsible manner.

Mayor Schneider reflected on all the opinions offered on the budget and expressed that not everyone would be supportive of the entire budget. She said that council, committee members, and staff work very hard to be transparent to present

information without exaggeration, estimate expenses which reflect the pressures of inflation, and project revenues conservatively. Projects, large and small, are vetted carefully with the aim of looking for cost savings. Schneider said that outside funding was consistently sought after to support town initiatives. For example, the town had been awarded \$490,000 from the Parks and Recreation Trust Fund (PARTF) along with \$1.65 million from the American Rescue Plan (ARPA) for the Heritage Farm Park project, \$3.265 million from the county was being directed to the water tower project with a possible \$4 million more from the state. She stated that there were multiple opportunities for citizens to gather information and offer opinions on the town's endeavors publicly or privately. On the matter of increasing the council's stipend, Schneider offered her support and clarified that it was not a stipend but a taxable salary. She added that the small increase was consistent with other municipalities of the same size and that it was an investment in the town as it encouraged future engagement and helped to enable council members to reinvest their time and resources back into the town.

Councilman McClellan pointed out that council was constantly mindful of the town's budget and the many opportunities for savings and growth. He pointed out that the capital projects were just the beginning of what could make the town notable in years to come. He reiterated his support of the budget.

Councilman Kinneman repeated his support of the budget with the exception of the increase in council's salary. He stated that though the value of the salary increase appeared trivial when compared to the rest of the budget, he believed it to be an inappropriate action to take at this time when inflation had driven up costs of the multiple projects programmed into the budget. He believed this would set a tone of insensitivity, or of being "tone deaf", to taxpayers. He pointed out that he would comfortably support spending on projects which showed a positive return on investment and that this budget supported many worthwhile projects moving forward.

The motion was passed (3-1 with Councilman Kinneman voting in opposition).

- B. Text Amendment.** Amendments to Section 30-167 of the Town of Oak Ridge Code of Ordinances to ensure compliance with NC General Statute § 160D-307, specifically to clarify the number of extraterritorial jurisdiction (ETJ) representatives serving on the Town's Planning & Zoning Board.

Planning & Zoning Director Sean Taylor explained that the purpose of amending the ordinance regarding membership on the Board was to more accurately reflect the decrease in population in the ETJ due to recent voluntary annexations and the consequent increase in the Town's population as reflected by recent census counts. He noted that the P&Z Board had approved the amendment unanimously (4-0) at its last meeting. The current number of ETJ representatives would be decreased from two to one.

Mayor Schneider opened the public hearing.

Proponents

None.

Opponents

None.

With no speakers speaking for or in opposition to the amendment, rebuttals were not needed, and Mayor Schneider closed the public hearing.

Councilman Kinneman made a motion to approve the text amendment to section 30-167 of the Town of Oak Ridge Code of Ordinances, and Councilman McClellan seconded. The motion was passed unanimously (4-0).

8. TOWN MANAGER'S REPORT

A. Consideration/Approval of the reappointment of Caroline Ruch to the Historic Preservation Commission (HPC)

Councilwoman Pittman moved to approve the reappointment of Caroline Ruch to the HPC, and Councilman Kinneman seconded. The motion was passed unanimously (4-0).

B. Project Updates

- Heritage Farm Park (HFP)

Bruce noted that construction at HFP had begun today and access to those areas under active construction was restricted. He explained that access from Scoggins Road was closed, but there were access points off Highway 150 and from the parking lot of town hall where citizens may park. He pointed out that a map designating the prohibited areas of HFP could be found on the town's website.

- NC 68 / NC 150 Intersection

Bruce reported that utility crews had begun removing vegetation around the intersection in anticipation of moving utility lines. Utility relocation work was expected to be completed in the fall. He said that NCDOT expected construction to begin in early 2024 but was subject to delay caused by the high demand on grading and contract work.

- Bruce acknowledged the designation of Certified Municipal Clerk awarded to Deputy Town Clerk Ashley Royal by the International Institute of Municipal Clerks.

9. NEW BUSINESS

Consideration/Approval of Park Entrance Master Plan

Removed per amended agenda.

10. PUBLIC COMMENTS

- Phyllis Anders, 1837 Oak Ridge Road, expressed her appreciation of the council and its support of the budget and projects which aid in the town's growth.
- Jacob Binder, 7022 Carriage Cove, acknowledged the approval of the budget and cautioned against large spending becoming the norm for future budgets.

11. MONTHLY FINANCIAL UPDATE

Finance Officer, Sam Anders, reported that the town was maintaining a strong financial position. He noted that the annual excise tax on alcohol sales taxes collected outside of the ABC system showed a 7% increase from last year. Anders stated that the preliminary interim audit had been scheduled for the third week of June. He said that the first payment on the loan for the HFP project had been made and reflected a two-month payment of principal plus interest due to the delay caused by the Local Government Commission (LGC) approval process.

Anders requested a motion authorizing him to adjust the budget through June 30, 2023, to ensure a balanced budget at the end of the fiscal year. He indicated that he would report back to council on the budget via email as the next town council meeting would take place prior to the end of the month. He said that the report would be presented at the August 3rd, 2023, town council meeting. Anders stated that the Forvis audit contract was currently under review by the Town Attorney Michael Thomas prior to seeking final approval from council.

Councilwoman Pittman made a motion to approve the monthly financial update as presented, and Councilman Kinneman seconded the motion. The motion was passed unanimously (4-0).

Councilwoman Pittman made a motion to grant Finance Officer Sam Anders the authority to adjust the budget through June 30, 2023, to ensure a balanced budget, and to make his report via email and again after year end during the August 3, 2023, town council meeting. Councilman McClellan seconded the motion, and it was passed unanimously (4-0).

Councilwoman Pittman made a motion to approve entering into contract with Forvis pending the Town Attorney Michael Thomas' final review, and Mayor Schneider seconded the motion. The motion was passed unanimously (4-0).

12. COMMITTEE REPORTS

A. Historic Preservation Commission.

Member Barbara Engel reported that the HPC did not have any COAs to review and therefore did not meet in May. The Historic Heritage Grant (HHG) Committee

planned a meeting to which no one appeared, although she noted that there is some interest in out of cycle HHG applications. Engel mentioned that two site visits were made to confirm compliance and completion of work at the Donnell Rock House and Maple Glade at Oak Ridge Military Academy, and grant funds were consequently disbursed. She said that much of the writing for the historic Oak Ridge book was complete and under review.

B. Planning & Zoning Board.

Mayor Schneider reported that Chair Jason Streck had contacted her to say that he wasn't able to attend, but that there was nothing to report on other than P&Z's approval of the text amendment, which Council had already acted on. Streck indicated that the text amendment was approved at their May meeting.

C. Mountains-to-Sea Trail Committee.

Chair Anne Steele was not present but sent an email reporting on the next workdays scheduled for June 10 and June 21, 2023.

Councilman Kinneman inquired into the status of the mistaken tree removal at the Headwaters Trail, and Bruce indicated that the developer was working to reconstruct the trail. Councilwoman Pittman indicated that remediation would be discussed pending the outcome of the trail reconstruction.

D. Conservation Easement Committee.

Did not meet in May.

E. Special Events Committee.

Chair Patti Dmuchowski reported that the Veterans Honor Green (VHG) collected \$14,250 in donations bringing the total to \$211,000 which included future town matching funds. Fundraising efforts for VHG will continue. She noted that a proposal from Revington Reaves for construction phase services of VHG had been received. She said that the Memorial Day observance ceremony was moved indoors due to weather concerns. Dmuchowski added that activities, food, patriotic music, and speeches were being planned for the July 4th Kids' Bike Parade. She noted that planning continued for Heritage Day on September 30th, 200th Anniversary of the Benbow House on October 15th, Light Up the Night on December 2nd, and the 25th Anniversary of the Town on January 20th, 2024.

F. Tree Committee.

Member John Browning reported that the committee was reviewing the Park Entrance Master Plan. He relayed that based on examination by a Guilford County arborist, the committee recommended the removal of two large oak trees at the entrance to HFP due to their decayed conditions and possible issues of liability. Councilman Kinneman added that the committee carefully performed due diligence to arrive at this recommendation.

G. Parks and Recreation Advisory Board.

Co-Chair John Garrett reported that there were no agenda items to warrant a meeting in May. He described the success of the first Music in the Park event on May 13th, noting that positive comments were shared by vendors, sponsors, security personnel, and visitors. He said that overflow parking will be planned for the next event on June 10th. Garrett mentioned that the athletic fields (three and four) would be closed from June 13th through the middle of August for much needed surface leveling and turf repair. He noted that HFP would be closed for construction. Mayor Schneider added a reminder that the groundbreaking ceremony for HFP was scheduled on June 7th at 1:00 p.m.

H. Finance Committee.

Chair John Jenkins acknowledged the dedication of the members on the committee. He pointed out that after much deliberation the committee unanimously endorsed the increase in Council stipend. In reference to a comment made earlier in the meeting, he emphasized that as citizens of the town themselves, the committee was not acting tone deaf to the financial climate of the town.

I. Water Advisory Committee.

Chair Jim Harton reported on the meeting with Wooten Co. which occurred on June 1, 2023. He stated that surveys and geotechnical investigations were complete on the water tank site location, that the tank design was complete although color selection and logo design are pending, and Wooten was preparing permits. He detailed that a short asphalt drive was required to the tank site, and the area surrounding the water tank would be secured by chain link fencing and barbed wire which would be screened by landscaping. Initial approvals had been received from Town Council, HPC and P&Z, but final drawings required the committee's and council's approval before details could be sent to the state to begin permitting. The bid process could begin once these steps were completed. Harton reported that a 12-inch water line was planned from the tank down Linville Road for initial use for fire suppression and the park's water needs. The estimated cost for construction would be \$2.3 million and would take one year to complete after contracts had been awarded. The town had these funds in reserve. Harton pointed out that the agreement with Winston-Salem for a water main supply line along NC 150 from Forsyth County was pending. The line, however, had been surveyed and drawings had been initiated. Road crossing locations and a possible booster pump station await determination. Harton noted that additional funding was still needed for this part of the project.

13. COMMUNITY ORGANIZATION REPORTS

A. Oak Ridge Youth Association.

No report

B. Oak Ridge Military Academy.

No report

C. Oak Ridge Elementary School.

No report

14. PUBLIC COMMENTS

- Micah Spencer, 6315 Nesting Way, expressed his support of the increase to council stipend stating that it was well earned by council people who were committed to the town and serve on multiple boards and committees and have a wealth of experience and knowledge. He also stated his appreciation of the town's care for trees as a designated Tree City.
- Sam Anders, 1829 Oak Ridge Road, acknowledged Logan Bryant as the recipient of the \$2,500 Strength and Honor Scholarship. He said that she planned to study Healthcare Management at Appalachian State University. Anders remarked on the high caliber of graduates out of Northwest High School which included two appointees to the US Naval Academy at Annapolis. He mentioned his gratitude to the Russoli family who founded this scholarship in memory of their son, Andrew Russoli.

15. COUNCIL COMMENTS

Councilman McClellan gave a nod to the successful Music in the Park event on May 13th and to the budget which funded three large projects. With much work left to do, McClellan announced his intent to run for re-election in November.

Councilman Kinneman expressed sincere apologies to the Finance Committee for an unintended message of disrespect (i.e., being tone deaf), clarifying that the comment was directed to council and not to the committee.

Councilwoman Pittman reflected on all students graduating, or moving on to the next grade or school and offering her congratulations and wishes for a fun but safe summer.

Mayor Schneider recognized the feat of the budget process, the work of park staff, and the awarding of the title of Certified Municipal Clerk to Ashley Royal. She announced the next Council Hours are scheduled for June 22, 8:30 – 10:00 a.m. in person and via zoom. Schneider congratulated the recipients of the Merchants of Oak Ridge and Lion's Club scholarships from Oak Ridge Military Academy and Northwest Guilford High School.

16. ADJOURNMENT

Councilman Kinneman moved to adjourn the meeting at 9:06 p.m., and Councilwoman Pittman seconded. The motion was passed unanimously (4-0).