



**OAK RIDGE TOWN COUNCIL MEETING
JUNE 3, 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
Sandra Smith, Town Clerk
Sean Taylor, Planning Director
Sam Anders, Finance Officer
Michael Thomas, Town Attorney

Members Absent

Doug Nodine

1. CALL TO ORDER

Mayor Ann Schneider called the meeting to order at 7:00 p.m. She said that Councilman Nodine was sick and unable to attend the meeting.

A. Invocation/Moment of Silence.

Shannon Depp offered the invocation.

B. Pledge of Allegiance.

Harvey Woolf, a recent graduate of Oak Ridge Military Academy, led the Pledge of Allegiance.

2. MAYOR'S STATEMENT CONCERNING THE EMERGENCY

Mayor Schneider read from a prepared statement, explaining that the meeting was being conducted in person as a result of a consensus of Council members. She said that Council members and staff had been fully vaccinated and would not be wearing masks during the meeting as allowed by the current Governor's Orders. She asked that members of the public who were unvaccinated wear their masks during the meeting. Mayor Schneider said the public had been invited to join either in person or by viewing the livestream, and instructions had been widely publicized. Schneider said agendas were available in the meeting room, and agendas and meeting materials had been posted on the Town website. She said the Town is meeting all statutory requirements while complying with the Governor's Emergency Order. Mayor Schneider asked Council members to speak up at any time if they could not hear what was being said so that adjustments could be made as soon as possible.

3. APPROVE AGENDA

Councilman George McClellan made a motion to approve the agenda, and Mayor Pro Tem Jim Kinneman seconded. The motion was passed unanimously (4-0).

4. APPROVAL OF MEETING MINUTES

Mayor Pro Tem Jim Kinneman moved that the May 6, 2021, regular meeting minutes be approved, and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).

5. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

Mayor Schneider read a proclamation recognizing graduating high school students, which is hereby incorporated by reference and made a part of the minutes.

6. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE

Lieutenant Jeremy Fuller of the District 1 office of the Guilford County Sheriff's Office reported 87 calls for service in Oak Ridge in May. Of those, he said one was an automobile theft, one burglary from a motor vehicle and one larceny/shoplifting call. Lt. Fuller said that the Sheriff's Department is aware of the loud noise issue with squatting trucks within the Town Core. He said that they were working with Piedmont Security to help educate the operators of the loud motor vehicles. Lt. Fuller said that he had requested a special enforcement team to work the NC 68/NC 150 corridor in order to increase visibility in the area. Lt. Fuller encouraged residents to call 911 or the District 1 office to report issues.

Mayor Schneider thanked Lt. Fuller for his recent meeting with her, Town Clerk Sandra Smith and Oak Ridge Commons shopping center owner Philip Cooke and his security chief to discuss ways to resolve the loud vehicle issues.

7. REPORT FROM OAK RIDGE FIRE DEPARTMENT

Lieutenant Hampton Staunton reported that the department had received 60 calls in May. Of those, he said 30 were medical calls, seven were motor vehicle collisions, and one was a fire call where a family was displaced from their home. Gibson said paid and volunteer department members received 778 hours of training in the previous month.

Lt. Staunton announced that Haley Hill and Amber Long, the daughters of two fire department employees, were the recipients of the Strength and Honor Scholarship. He said that the scholarship was endowed by family and friends of Lance Corporal Andrew Russoli, who was killed while in combat in Iraq. Russoli had hoped to become a member of the Oak Ridge Fire Department after ending his military service.

It was announced that the department's annual meeting would be Monday, June 14, 2021, at 7:30 p.m.

8. PUBLIC HEARINGS

- A. Street Closing.** Town Planner Sean Taylor said that applicants, Bernard and Anna Walraven, requested to close a section of Linville Ridge Road and to reconstruct the cul-de-sac. Taylor presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said that staff recommended the approval of the partial road closing as it met all requirements.

Mayor Schneider opened the public hearing.

Mayor Pro Tem Jim Kinneman disclosed that his property abutted the HOA property in the Linville Ridge subdivision.

Proponents:

Bill Greco with Land Solutions, 200 S. Regional Road in Greensboro, NC, said that he represented the applicants and was present to answer any questions.

Opponents:

None

Mayor Schneider closed the public hearing.

Mayor Pro Tem Jim Kinneman made a motion to approve the application to close and remove from dedication a portion of Linville Ridge Drive, and Councilman George McClellan seconded the motion.

Council discussion:

Kinneman said work had been done on this project before the required approvals were received. Greco apologized to Council members for overlooking the approval process.

Mayor Schneider said that the omission of seeking approval was disturbing to many Council members. She told Greco that he needed to find a way to work within the constraints of the Town's ordinances going forward.

The motion was passed unanimously (4-0).

- B. 2021-2022 Fiscal Year Budget and consideration/adoption of Ordinance O-2021-03 adopting the 2021-22 Fiscal Year Budget.** Mayor Schneider reported that the budget was introduced at the May 6 meeting and had been available for review at Town Hall and on the Town website.

Town Manager Bill Bruce said that the proposed budget was developed over several months with collaboration with Finance Officer Sam Anders, the Finance Committee,

and committee chairs. He said that the fund balance would be about \$3 million as of June 30, the end of the current fiscal year. Bruce said that the property tax rate would remain unchanged at 8 cents per \$100 of assessed property value. He said the Finance Committee approved the budget at its meeting on April 5. Bruce said that minor revisions were submitted to the Finance Committee on May 10, and the Committee reiterated its support of budget as presented.

Mayor Schneider opened the public hearing.

Proponents:

The following citizens spoke in support of the budget:

- John Jenkins, Ashton Park Drive
- Jim Harton, 5901 Pepper Road
- Paul Benz, 5310 Beckenham Way
- Debbie Shoenfeld, 8501 San Siro Farm Court
- Sebastian King, 3213 Stoneburg Court
- John Garrett, 8604 Bromfield Road

Town Clerk Sandra Smith read comments in support of the budget from the following citizens:

- Mike Stone, 8112 Hunting Cog Road
- Patti Dmuchowski, 7320 Hidden View Drive
- Frank Kelleher, 2102 Oak Ridge Road
- Stuart Mease, 1810 Wild Fern Drive

Councilman George McClellan moved to approve the 2021-22 fiscal year budget and Ordinance O-2021-03 adopting the 2021-22 fiscal year budget, and Councilwoman Pittman seconded.

Council discussion:

McClellan said that that this was one of the best budgets he had seen. He said that it was conservative, kept taxes low, and appropriates money to the Veterans Honor Green and to Phase 1 of the new park. McClellan said that he appreciated the increase in the stipend for Council members.

Kinneman said that he was not in support of one part of the budget and would have made the motion to approve the budget after removing the stipend increase, but knew that other Council members present would not second his motion. He said that he knew Council members worked hard, but thought that the stipend increase was coming at the wrong time. Kinneman said that he was elected to listen to the advice of the Finance Committee, but was not obligated to take it. He said that the stipend increase was not a very good message this year coming out of the pandemic because people remain unemployed and some businesses are still recovering. He said that in Oak Ridge on a \$500,000 house, the Oak Ridge property tax would be \$400 annually. Kinneman said that Oak Ridge residents get a lot of benefits for their tax dollars, such as the town's top-quality park that hosts events like Music in the Park and RidgeFest. Kinneman said the reason the park had so many fields is because Oak Ridge Youth Association was so successful, and that the new park would have two additional multipurpose fields. He said that he was in favor of the

budget with the exception of the increase in the Council stipend. Kinneman said that he always donated his stipend, and would give this portion back to the town.

Pittman said that it was a pleasure for her to work with the Finance Committee this year. She said that she would not ignore the opposing viewpoint on the stipend increase or even try to defend it because she knew how much time, energy and expertise Council members give freely to the Oak Ridge community. Pittman said she appreciated the citizens' support and thought the budget was conservative and met all of the Town's operational needs. She said that she supported the adoption of this budget as presented by the town manager and recommended by the Finance Committee.

Schneider said that she appreciated the strong support for the budget and loved the fact that the Town is in an incredibly healthy financial position. She said that she was thankful for the stipend, and she thought of it as an investment in the future of Oak Ridge. She said that all Council members are free to take the stipend, refuse it, or invest it in a charity. Schneider said that less than 8 percent of Oak Ridge residents' property tax bill goes to the Town of Oak Ridge. She said that she thought it was important to point out that this budget allocates \$582,000 to the Town's reserves and was a fantastic way to invest in the current and future livability of the Town.

The motion was passed unanimously (4-0).

9. NEW BUSINESS

- A. Consideration/approval of proposal from Yates Construction to construct a gravel parking lot on Linville Road and side path along Pepper/Haw River roads for the Mountains-to-Sea Trail.** Town Manager Bill Bruce said that on May 19, 2021, the Town received three bids for the side path along Haw River Road/Pepper Road and for the gravel parking lot on Linville Road. He said that the lowest bid was from Yates Construction for \$298,000. Bruce said that the side path will provide connection between trails along the 3.5-mile section of the Mountains-to-Sea Trail.

Councilwoman Martha Pittman made a motion to approve the proposal from Yates Construction to construct a gravel parking lot on Linville Road and side path along Pepper/Haw River roads for the Mountains-to-Sea Trail, and Mayor Pro Tem Jim Kinneman seconded the motion.

Council discussion:

McClellan said that he was glad to see the 3.5 miles of the Mountains-to-Sea trail going through Oak Ridge and was humbled when he talked with the committee members.

Kinneman asked if the bid was higher than expected, and Bruce replied yes due to the increase in the cost of materials and the very strong market for contracting jobs. Kinneman said that he understood that Council would be approving the bid tonight, but asked if a budget amendment should that be a part of the motion.

Finance Director Sam Anders said that when a project is approved during one fiscal year and laps over into another budget year, you either have to re-budget the uncompleted and unpaid for portion or pass a capital project ordinance. He said that this project does not rise to the level of needing a capital project ordinance. Anders said that he doubted that Yates Construction would be able to get much work done on the project before the end of the month of June. He said that Town Manager Bruce and he would look at every ongoing item at the end of this fiscal year, and any amount that is not in next year's budget would be brought as a budget amendment at the July Council meeting in the event of any possible cross-over items.

Kinneman asked when the work would begin, and Bruce said that they work not realistically begin work before July.

Pittman said that she was happy to see this project at this point. She said that Mountains-to-Sea Trail is a long-term project, but that Oak Ridge has a lot already invested in terms of easements and volunteer hours.

The motion was passed unanimously (4-0).

- B. Consideration/approval of Resolution R-2021-05 to accept the federal American Rescue Plan Act funds.** Town Manager Bruce told Council that it was a requirement that the Town pass a resolution to accept funds from the American Rescue Act Plan. He said that the Town would receive funds within the next two years, and he believed that the first distribution of funds would be seen within the next 30 days.

Councilman George McClellan made a motion to approved Resolution R-2021-05 to accept the federal American Rescue Plan Act funds, and Mayor Pro Tem Jim Kinneman seconded the motion.

Council discussion:

McClellan asked when additional information would be available regarding this funding, and Bruce responded that more information would be released in the future by the Treasury Department.

Kinneman said that the eligible funding categories would be narrowly focused to items such as water and broadband.

Schneider said she knew that there would be many restrictions on the money, but she hoped that the Town would spend it on something appropriate that would benefit the Town.

The motion was passed unanimously (4-0).

- C. Consideration/approval of proposal from the Wooten Company for water feasibility study.** Town Manager Bruce said at its meeting on May 6, 2021, Council had approved the scope of work to be used from the \$1.1 million allocation from the state for fire suppression. He said that Wooten Company proposes to complete the scope of work for a sum not to exceed \$19,500 within 120 days of the contract execution. Bruce said that if approved, the Water Advisory Committee, with input from Fire Chief Ken Gibson, would provide oversight to the consultant.

Councilman George McClellan made a motion to approve the proposal from Wooten Company for a water feasibility study, and Councilwoman seconded the motion.

Council discussion:

McClellan said that as council liaison to the Water Advisory Committee, he knew that this project would benefit every citizen of Oak Ridge.

Kinneman said that he was supportive of this proposal and that the number of water sources in Oak Ridge had not increased over the years. He said that ponds and streams are limited, equipment must be cleaned, and that it would likely be easier to fill a truck from a hydrant with pressure than use a pond or stream. Kinneman said that he had a question about the contract in Appendix 1-1, item number 3 where purchasing water from Winston-Salem along the Haw River Road corridor or the NC 150 corridor is listed as a possible water supply alternative. Kinneman said that he preferred a generic direction be researched. He said that he would like for that decision to be reconsidered.

Pittman said that this proposal would provide the information the Town needs to make an informed decision. She said that she was in favor of enhancing and increasing the water supply for the fire department.

Schneider said that regarding Mayor Pro Tem Kinneman's suggestion, it was her impression that if the Town were to consider the situation more broadly, the cost may have to be changed because Wooten Company would be considering more options.

Bruce said that Wooten Company suggested, as a way to control costs, to recommend what the Town thought were the most feasible sources of water supply. He said that it would be the Water Advisory Committee's decision to look at other sources, but that would likely create a need for the contract to be re-costed.

Schneider said that she felt like the Committee should move forward as is and could add more options in the future.

Pittman said that she had a procedural question. She said that since the Council is discussing two potential corridors, if it is evident that these were not viable, would Wooten come back and suggest that we look further. If so, would the project have to come back to Council, and Bruce responded that he felt it would; Bruce said the Water Advisory Committee would likely make that recommendation to Council.

The motion was passed unanimously (4-0).

10. TOWN MANAGER'S REPORT

- A. Consideration/approval of Amendment Extending Interlocal Agreement on Tax Collections.** Bruce asked Council members to consider approving an amendment to the Town's interlocal agreement with Guilford County for tax collections. He said that the amendment would extend the agreement for three additional years, until July 1, 2024. Bruce said that all other provisions of the agreement would continue in full force and effect. He said that the Town pays Guilford County a fee of 0.62 percent of tax collections or about \$5,000 annually for this service.

Mayor Pro Tem Kinneman made a motion to approve the amendment to extend the interlocal agreement on tax collections, and Councilwoman Marth Pittman seconded the motion. The motion was passed unanimously (4-0).

B. Consideration of appointment of Megan Dyson as Planning & Zoning Board alternate.

Councilwoman Martha Pittman made a motion to appointment Megan Dyson to the Planning & Zoning Board as an alternate member, and Councilman George McClellan seconded the motion. The motion was passed unanimously (4-0).

C. Update on voluntary annexation petitions/Announce Special Called meeting.

Bruce said that approximately 90 petitions were received from areas mostly south of County Line Road and Reedy Fork Creek. He said that Town Clerk Sandra Smith and Town Attorney Michael Thomas are now working to verify each petition for Council's consideration. Bruce said that Council will hold a special called meeting on Tuesday, June 29, 2021, at 1 p.m. to consider the certified petitions.

Councilman McClellan asked how many of the petitions are eligible for annexation, and Bruce replied that approximately 60 properties may be eligible.

Kinneman asked what the impact of the potential annexations would have on tax revenues, and Bruce replied that he did not have a figure now but would be able to verify once the petitions had been certified.

D. Introduction of proposed text amendments to comply with NCGS Chapter 160D. Planning Director Sean Taylor presented a PowerPoint presentation of the proposed text amendments now known as Chapter 160D, which is hereby incorporated by reference and made a part of the minutes.

Bruce said that Taylor had already presented this information to the Planning & Zoning Board, and that Council would be considering the proposed text amendments at the July regular meeting.

11. PUBLIC COMMENTS

- Anne Steele, 8927 Grove Park Drive, said as the Co-Chair of the Mountains-to-Sea Trail Committee that she wanted to thank Council for approving the contract with Yates Construction to allow for the construction of the side path and the parking lot. She said that the MST Committee had worked hard to get the trails off road in two segments, and that creating a side path would allow for a safer connection between the two trail segments.

12. MONTHLY FINACIAL UPDATE

Finance Officer Sam Anders said that the Town was ending the year with a good fund balance. He asked Council to consider giving him the authority to adjust the budget through June 30, 2021, and he would report to Council at the July meeting.

Councilwoman Martha Pittman made a motion to give the Finance Officer authority to adjust the budget through June 30, 2021, and report to Council at the July meeting, and Councilman George McClellan seconded the motion. The motion was passed unanimously (4-0).

Councilman George McClellan made a motion to approve the financial report as submitted by the Finance Officer, and Councilman Jim Kinneman seconded the motion. The motion was passed unanimously (4-0).

13. COMMITTEE REPORTS

A. Planning & Zoning Board.

Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

B. Mountains-to-Sea Trail.

Co-Chair Anne Steele reported there would be a trail workday on June 16 at 9 a.m.

C. Conservation Easement Committee.

No meeting

D. Special Events Committee.

Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

E. Parks & Recreation Advisory Board

Co-Chair John Garrett reported that the board had met in person and via Zoom on May 20 and had approved four park events. He said that the next Music in the Park event would be held June 12.

F. Finance Committee.

Chair John Jenkins thanked Town staff for the assistance with the budget process.

G. Water Advisory Board.

No report

H. Historic Preservation Commission.

Chair Debbie Shoenfeld reported that the commission met May 19 and discussed and approved the Design Standards changes. She said that the commission was working with a graphic designer on the illustrated Design Guidelines. Shoenfeld said that the Grant Committee was happy to announce that the Old Mill of Guilford would

receive a grant to restore a rock wall. She said that Heritage Day was scheduled for September 25.

14. COMMUNITY ORGANIZATION REPORTS

A. Oak Ridge Elementary School.

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

B. Oak Ridge Youth Association.

No report

C. Oak Ridge Military Academy

No report

15. PUBLIC COMMENTS

Sam Anders, 1829 Oak Ridge Road, who is assistant fire chief, thanked Council for allowing the fire department to announce the Strength and Honor Scholarship recipients earlier in the meeting. He also said that he greatly appreciated the support Council had provided with its recent actions with Wooten Company to study water for fire suppression.

16. COUNCIL COMMENTS

17. ADJOURNMENT

Mayor Pro Tem Jim Kinneman made a motion to adjourn the meeting at 9:15 p.m. and Councilman George McClellan seconded the motion. The motion was passed unanimously (4-0).