

**CITY OF OXFORD**  
**BOARD OF COMMISSIONERS' REGULAR MONTHLY MEETING**  
**Tuesday, May 13, 2014 - 7:00 p.m.**  
**Commissioners' Board Room**

Mayor Pro Tem Howard G. Herring, Sr.  
Commissioner James (Danny) Currin  
Commissioner Robert Williford, Sr.



Commissioner Calvin (CJ) Harris, Jr.  
Commissioner Frank Strickland  
Commissioner S. Quon Bridges  
Commissioner Patricia T. Fields

Randy Hemann, City Manager  
Barbara Rote, City Clerk

Jackie Sergent, Mayor

J. Thomas Burnette, City Attorney

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**MISSION**

The mission of the City of Oxford is to serve and improve our community by providing high quality, affordable services, sound planning for growth and development, and offering the highest possible quality of life - while maintaining the public's trust through open communication and ethical standards at all times.

**VISION**

The City of Oxford will partner with the community to build upon the charm and character of our historic, vibrant, and walkable city to create an extraordinary quality of life for all.

**Core Values - ETHICORE**

The elected officials, staff, and volunteers of the City of Oxford value and commit to model the following:

**EQUAL TREATMENT** for everyone with **DIGNITY, COURTESY, and RESPECT**  
**TEAMWORK** within our organization and our community  
**HONESTY** in all of our dealings with citizens, fellow workers, and other organizations  
**INTEGRITY** in every action and service  
**COST-EFFECTIVE and QUALITY** services for our community  
**OPEN and TRANSPARENT COMMUNICATION** with all parties  
**RESPONSIBILITY** for our decisions and actions  
**EXCELLENCE** in every deed

**\*\*The mnemonic ETHICORE was adopted as a helpful tool to remind us of our core values\*\***

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[ CALL TO ORDER ]

[ Please be reminded to turn off or mute all cell phones and/or electronic devices]

[ MISSION, VISION, VALUES ]

1. Prayer Reverend Chris Aho
2. Pledge of Allegiance led by Commissioner Frank Strickland
3. Consider adjustments to and approval of the Agenda:
4. Opening Remarks by Mayor Sergeant  
*In order to provide for the highest standards of behavior and transparency in governance, the Board of Commissioners has approved a Code of Ethics to establish guidelines for ethical standards for Board Members and to provide guidance in determining appropriate conduct. Among those: Board members should avoid impropriety in the exercise of their official duties and should conduct the affairs of the board in an open and public manner. The Mayor now inquires whether any Board Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the Board. If any Board Member knows of a conflict of interest, or appearance of a conflict, please state so at this time.*

[ DELEGATIONS ]

5. Presentation – May Yard of the Month - Peter Tocci & Ricky Dixon
6. Presentation – Proclamation recognizing National Police Week 2014
7. Presentation – Annual Historic Preservation Commission award – HPC Chairman, Susan Wicker
8. Presentation – Annual Historic Preservation Commission photo contest winners – HPC Chairman, Susan Wicker

[ PUBLIC COMMENT ON AGENDA and NON-AGENDA ITEMS ]

*Citizens may speak on Agenda as well as Non-Agenda items at this time. Citizens wishing to address the Board must sign in on the form located with the City Clerk prior to the beginning of the meeting. When recognized by the Mayor, come forward to the podium, state your name, address, if you are a City resident, and identify the subject about which you wish speak. Please review the Public Comment Guidelines that are provided alongside the sign in form.*

## [ PUBLIC HEARINGS ]

Citizens may only speak on public hearing items at this time. Citizens do not need to sign up in order to speak at a public hearing. When recognized by the Mayor, come forward to the podium, state your name, address, and if you are a City resident. Please review the Citizen Comment Guidelines that are provided at the end of this Agenda.

9. Public Hearing to amend the Oxford Zoning Ordinance under section 753.3 and 754.3 requiring driveways to have a minimum width of 26 feet.

The proposed amendment is needed in order to be consistent with the requirements of the NC State Building Code: Fire Prevention Code for Aerial Fire Apparatus. Currently, the zoning ordinance requires a minimum driveway width of 20 ft. for unified housing and business developments. The Fire Prevention Code requires Aerial Fire Apparatus Access Roads to have a minimum unobstructed width of 26 feet.

- 9a) Consider Planning Board's Recommendation.

**Recommended action:** Staff and Planning Board recommend amending the Oxford Zoning Ordinance under section 753.3 and 754.3 requiring driveways for unified housing and business developments to have a minimum width of 26 feet.

10. Public Hearing to consider a rezoning request by Eddie W. Caudle Jr. to rezone 930 Lewis St. from R-A (residential-agriculture) to B-2 (highway Business).

This property is a 2.5+/- acre tract where mobile homes and an auto garage shop were located. The request is consistent with the land use plan. Mr. Caudle has demolished the garage and all but one of the mobile homes. He is proposing to change the zoning for future use.

- 10a) Consider Planning Board's Recommendation

**Recommended action:** Staff and Planning Board recommend approving a rezoning request by Eddie W. Caudle Jr. to rezone 930 Lewis St. from R-A (residential-agriculture) to B-2 (highway Business).

11. Public Hearing to consider non-contiguous annexation of 1.31 acres of land and single-family dwelling ( 1008 Lewis Street) owned by Pearl M. Torres.

The property owner has a faulty septic system and petitioned the City for annexation in order to receive City utility services. The property meets all requirements for non-contiguous annexation and all required procedures for voluntary annexation will be complete following the public hearing, and annexation can be approved. (ATTACHMENT 11)

- 11a) Consider Non-Contiguous Annexation Ordinance for Pearl M. Torres, effective May 13, 2014 for 1.31 acres of land located on Lewis Street.

**Recommended action:** Staff recommends adopting the Non-Contiguous Annexation Ordinance for Pearl M. Torres of 1008 Lewis Street, effective May 13, 2014.

[ OLD BUSINESS ]

No Old Business

[ NEW BUSINESS ]

12. Consider Adopting a Revenue and Pricing Policy, and a Fee Schedule for the Department of Recreation, which will standardized the City's approach in assessing fees for residents and non-residents who utilize the City of Oxford's Parks and Recreation programs and facilities, effective June 1, 2014. Facility rental contracts entered into prior to the effective date who have paid a deposit will be charged the lower fee schedule rate.

The Parks & Recreation Department has developed a comprehensive approach that establishes defined user groups, provides consistent practices in the collection of revenue, and includes a cost recovery method that assures fees are kept at a fair market value while increasing our degree of cost recovery, which lessens the burden on the City of Oxford taxpayer. The Recreation, Parks, and the Environment Committee reviewed the Policy and Fee Schedule on April 1, 2014 and supports the recommendation. To account for contracts with deposits received through June 1, 2014, it is recommended that the lessee receive the rental amount that is on the lower fee schedule (current or adopted). (ATTACHMENT 12)

**Recommended action:** Staff and the Recreation, Parks, and the Environment Committee recommend adopting the Revenue and Pricing Policy and Fee Schedule for the Department of Recreation as presented, effective June 1, 2014. Facility rental contracts entered into prior to the effective date that have paid a deposit will be charged the lower fee schedule rate.

13. Consider approving a budget amendment in the amount of \$14,000, payable from the Water Fund to pay for the installation of a generator at the Midway lift station and to repair a manhole behind the old dog pound.

This budget amendment will facilitate the installation of a generator at the midway lift station and the repair of the manhole behind the old dog pound. (ATTACHMENT 13)

**Recommended action:** Staff recommends approving a budget amendment in the amount of \$14,000, payable from the Water Fund to pay for the installation of a generator at the Midway lift station and to repair a manhole behind the old dog pound.

14. Consider awarding the contract for the 2014 Powell Bill Street Resurfacing to the low bidder S.T. Wooten in the amount of \$89,633.55 and authorizing an addition \$8,963.36 for contingencies for a total of \$98,596.91.

The Engineering Department accepted informal bids for the “Street Resurfacing 2014” Bids were received in the Engineering Department and were opened on Tuesday, April 29th at 3:00 p.m. The bids came in under the Powell Bill funding of \$102,000.00 received in 2013. The resurfacing will be done on Leak Street with additional work on Cedar Court, Meadow Circle and Willow Place according to the 2009 approved Street Resurfacing Schedule. The two base bids ranged from \$80,208.55 to \$92,102.00. The Alternative Bid for the cul-de-sac work from the low bidder was \$9,425.00 (ATTACHMENT 14)

**Recommended action:** Staff recommends awarding the contract for the 2014 Powell Bill Street Resurfacing to the low bidder S.T. Wooten in the amount of \$89,633.55 and authorizing an addition \$8,963.36 for contingencies for a total of \$98,596.91.

15. Consider awarding the contract for the Sidewalk, and Curb & Gutter for the parking lot behind ACE Hardware to low bidder Mitch Yarborough in the amount of \$10,221.00 and authorizing an addition \$1,022.00 for contingencies for a total of \$11,243.00, payable from the Parking Authority Fund.

The Engineering Department accepted informal bids for the “Sidewalk and Curb & Gutter 2014.” Bids were received in the Engineering Department and were opened on Tuesday, April 29th at 2:00 p.m. The work will take place in the parking lot behind Ace Hardware. All bids exceeded the engineer’s 2013 estimate but when adjusted for inflation, the low bid is acceptable to the Engineering Department and the Parking Authority. The three bids ranged from \$10,225.00 to \$23,022.00. (ATTACHMENT 15)

**Recommended action:** Staff and the Parking Authority recommend awarding the contract for the Sidewalk, and Curb & Gutter for the parking lot behind ACE Hardware to low bidder Mitch Yarborough in the amount of \$10,221.00 and authorizing an addition \$1,022.00 for contingencies for a total of \$11,243.00, payable from the Parking Authority Fund.

16. Consider awarding the contract for the WWTP Equalization Tank Project (SRF #CS370439-07) to low bidder H.G. Reynolds CO., Inc. in the amount of \$2,605,800.00 and authorize an additional \$260,580.00 for contingencies for a total of \$2,866,380.00.

The Engineering Department accepted formal bids for the “Wastewater Treatment Plant Equalization Tank (WWTP) Project.” The work consists of the construction of a 1 million gallon equalization basin at the WWTP. The flow equalization basin will serve to improve the performance of the plant but will not increase the capacity of the plant. The Board previously approved funding for Design and Construction by utilizing a Clean Water State Revolving Fund

(SRF) 0% Interest Loan in the amount of \$2,440,825.00. Bids were received in the Engineering Department and were opened on Monday, May 5th at 2:00 p.m.

The bids exceeded Dewberry Engineering's December 2013 estimate of \$2,173,677.00. The Total Project Cost of Design and Construction is currently \$2,917,385.00 which leaves a shortfall of \$476,560.00. The Engineering Department is working with the Infrastructure Finance Section Staff and the NC Department of State Treasurer to increase the total loan amount to cover the entire cost of the project. The low bid is acceptable to the Engineering Department. The seven bids ranged from \$2,605,800.00 to \$2,984,951.50. (ATTACHMENT 16)

**Recommended action:** Staff recommends awarding the contract for the WWTP Equalization Tank Project (SRF #CS370439-07) to low bidder H.G. Reynolds CO., Inc. in the amount of \$2,605,800.00 and authorize an additional \$260,580.00 for contingencies for a total of \$2,866,380.00.

17. Consider rezoning 15 acres of City owned property located on Williamsboro Street across from Revlon from I-2 (General Industrial) Special Use District to O-I (Office-Industrial) Special Use District.

The City purchased this 15-acre attract as part of the Coon Creek Stormwater Improvement Project. There is still close to 6 acres available for development. The recommended rezoning request will add a buffer between the apartment complex and the Dill Air Controls property. (ATTACHMENT 17)

**Recommended action:** The Planning, Business and Community Development Committee recommend sending the rezoning request to the Planning Board for review.

18. Consider resolution supporting a State Constitutional Convention for a 28<sup>th</sup> Amendment to the U.S. Constitution as requested by SSOTA (Student Supporters of the 28th Amendment) from Zebulon G.T. Magnet Middle School.

The students at Zebulon G.T. Magnet Middle School sent a letter requesting the City consider their resolution calling for a State Constitutional Convention to endorse a 28th Amendment to the U.S. Constitution. They have written to communities across the state asking for support and would like to present their resolutions to the NC General Assembly by June 1, 2014. According to their correspondence, the 28th amendment states that "Congress shall make no law that applies to the citizens of the United States that does not apply equally to the Senators and/or Representatives; and Congress shall make no law that applies to the Senators and/or Representatives that does not apply equally of the United States." The Mayor will lead this discussion. (ATTACHMENT – AVAILABLE ON MEETING NIGHT)

**Recommended Action:** Mayor Sergent recommends adopting the resolution supporting a State Constitutional Convention for a 28<sup>th</sup> Amendment to the U.S. Constitution as requested by SSOTA.

[ REPORTS ]

19. April Financial Report highlights - Finance Officer Harold Belton  
Report will be provided on meeting night.
20. City Update - City Manager Hemann
21. County Board Meeting Update – Commissioners Fields and Strickland
22. Downtown Economic Development Commission Report – Commissioner Currin
23. Kerr Lake Regional Water System Report – Commissioner Strickland
24. Kerr-Tar COG Report – Commissioner Bridges
25. 200<sup>th</sup> Anniversary Update – Commissioners Williford and Strickland
26. Masonic Home for Children Community Communications Committee – Commissioner Williford

[ CONSENT AGENDA ]

27. Accept the April Financial Report by Finance Officer Harold Belton (available on meeting night)
28. Approve the following meeting 2014 minutes:  
\* March 31, Agenda Session \* April 8, Regular Session \*April 24, Special Meeting

[ BOARD COMMENTS ]

[ ADJOURNMENT ]

## **REMINDERS:**

If you need additional information about the following items, please see the City Clerk.

- May 31: Strawberry Jam Festival – 10:00 AM – 4:00 PM
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### **CITY OF OXFORD** **PUBLIC COMMENT GUIDELINES:**

The Mayor and Board welcome and encourage citizens to attend City Board Meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the Board:

- a) Citizens are requested to limit their comments to five minutes. However, the Mayor, at his or her discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Board.
- b) Comments should be presented in a civil manner and be non-personal in nature, fact-based, and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods.
- c) Citizens may not yield their time to another person.
- d) Topics requiring further investigation will be referred to the appropriate City official, Board Committee or agency, and may, if in order, be scheduled for a future meeting Agenda.
- e) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager.
- f) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted.
- g) Citizens should not expect specific Board action, deliberation, and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting Agenda.