

MONDAY, NOVEMBER 10, 2014 – 7:00 P.M.
REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS
OXFORD CITY HALL – COMMISSIONERS’ BOARD ROOM

The Board of Commissioners for the City of Oxford met at the above-mentioned time and place. All members of the Board and local news media were notified of the same as well as the purpose of the meeting. The meeting date was changed in order to observe the Veteran’s Day Holiday.

Present were Mayor Jackie Sergent, MPT Howard Herring, Sr., Commissioners James (Danny) Currin, Robert B. Williford, Sr., Calvin (C.J.) Harris, Frank Strickland, S. Quon Bridges and Patricia T. Fields. Present also were City Manager Randy Hemann, and City Clerk Barbara J. Rote.

Absent: City Attorney J. Thomas Burnette

CALL TO ORDER

Mayor Sergent called the meeting to order. Reverend Jesse Covington from Mt. Calvary Deliverance Cathedral gave the prayer; the Pledge to the flag followed led by MPT Howard Herring, Sr.

AGENDA APPROVAL

MPT HERRING MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. ALL VOTES WERE IN THE AFFIRMATIVE, **THE MOTION CARRIED.**

OPENING REMARKS BY MAYOR SERGENT

Mayor Sergent read the opening remarks statement as stated on the agenda with no conflicts of interest noted.

OXFORDNC.ORG WEB SITE PRESENTATION

City Clerk Rote made a brief presentation of the City’s new website.

PUBLIC HEARING – REZONE AREA 1 (10.54 ACRES) THORNDALE OAKS
FROM R-A TO B-4

A Public Hearing was held to rezone Area 1 of the Thorndale Oaks property consisting of 10.54 acres from R-A (residential-agriculture) to B-4 (neighborhood commercial) as requested by Thorndale, LLC d/b/a Thorndale Oaks.

The 10.54-acre site is the parcel where the clubhouse and tennis court are located. The applicants have expressed an interest in using the site as a banquet hall. The Planning Board recommended rezoning.

Mayor Sergent opened the public hearing.

Attorney Tom Currin – 316 Main Street and representing Thorndale Oaks – He explained that rezoning the parcel to B-4 is consistent with the 2009 Comprehensive Land Use Plan. He explained that the clubhouse is a grandfathered, non-conforming use. He stated that because it is unlawful under the current zoning classification, confusion arises on what uses for the property are grandfathered. The clubhouse will continue to be used for meetings and events regardless if the property is rezoned. With the property rezoned as B-4, expansion of the building could occur. He emphasized the need for Oxford to have a facility to hold events and meetings. Due to that need, potential related retail such as a photographer, travel agent, or florist could also be a part of the neighborhood community. He noted that the B-4 zoning has very limited retail and service uses. He asked the Board to consider rezoning the property to stay consistent with the Land Use Plan and to make the facility a legal use for the benefit of the community.

He later addressed some of the concerns mentioned by the public and the Board, noting that no funeral home could be built in the B-4 area, that the only way to increase parking on the property is to rezone the parcel to B-4. If the parcel is grandfathered and not rezoned, the size of the parking lot remains the same. He noted that plans would be made to increase the parking by possibly using the tennis court area that is in bad shape. The court would be brought up to parking lot standards. He also noted that a decision on the use of the pool would possibly be made in the spring. The pool area will be cleaned and secured now. If a gazebo is built, it will not be an eyesore but would be a beautiful place for photographs.

The Mayor clarified with Attorney Currin that the current intent is only the development of the banquet facility with the possibility of the other uses as mentioned by Attorney Currin in the future. All uses would conform to the B-4 zoning requirements.

Donita Robinson – 200 N. Country Club Drive – She explained her reasons for moving to Oxford and pointed out that having a neighborhood mixed with business may prevent people from moving here and may cause others to leave. She asked the Board to consider if they would like a business in their backyard. She was against rezoning the area B-4. She would like to see business growth concentrated in the downtown rather than around quite established neighborhoods.

Scott Phillips – 102 W. Quailridge Road – He supported the use of the clubhouse; however, he was not totally in favor of the B-4 zoning. He noted the need for a banquet facility. He also noted that their community was tight-knit. He asked the Board to consider some type of control for the B-4 zoning district so that it does not get out of control, especially because this is the first area in Oxford designated as B-4. He also noted the inadequate parking associated with the clubhouse, with overflow parking occurring on the public streets.

Chris Joyner – 103 W. Quailridge – He had no problem with the banquet hall but would like to see more restrictions for development. He expressed concern about possible construction of a gazebo creating outside noise along with noise associated with hours of operation of the entire facility. He stated that roads leading into the facility are narrow and have potholes and cracks. He noted that walkers use the road frequently. He showed a picture of the grass growing up around the pool and expressed concern about the pool being a breeding ground for mosquitos. He made several attempts to contact someone about mowing but was unsuccessful. He was also concerned about the overflow parking that occurred when larger events were held at the clubhouse. He did not like the appearance of the Watkins’ commercial property on College Street with all the items in the yard, and would hope not to see something similar on this property.

Melinda Pritchett – 128 Hillsboro Street (Business Address) – Spoke in favor of the rezoning. She read the City’s Mission & Vision Statements and noted that approving the development is consistent with the City’s sound planning for grown and development. Not changing the zoning and therefore grandfathering in the clubhouse and property shows that the intention of the Board is to keep things the same. As a downtown business retailer, she felt that the proposed type of development would also bring more people into the downtown to conduct business.

No one else wished to speak.

Mayor Sergent closed the public hearing.

REZONING APPROVED - AREA 1 (10.54 ACRES) THORNDALE OAKS
FROM R-A TO B-4

It was noted that “No Parking” signs on Clover Lane, Noise Ordinance and road repairs on City property would be the responsibility of the City.

MPT HERRING AND COMMISSIONER CURRIN SIMULTANEOUSLY MADE A MOTION TO REZONE AREA 1 OF THE THORNDALE OAKS PROPERTY CONSISTING OF 10.54 ACRES FROM R-A (RESIDENTIAL-AGRICULTURE) TO B-4 (NEIGHBORHOOD COMMERCIAL) AS REQUESTED BY THORNDALE, LLC D/B/A THORNDALE OAKS. COMMISSIONERS WILLIFORD, CURRIN, HERRING, STRICKLAND AND BRIDGES VOTED IN FAVOR; COMMISSIONERS HARRIS, AND FIELDS AGAINST. **THE MOTION CARRIED 5 TO 2.**

PUBLIC HEARING – REZONE AREA 2 (2.4 ACRES) OF THORNDALE OAKS PROPERTY
FROM R-A TO R-8

A public hearing was held to rezone Area 2 of the Thorndale Oaks property consisting of 2.4 acres from R-A (residential-agriculture) to R-8 (1 & 2 family residential) as requested by Thorndale, LLC, d/b/a Thorndale Oaks.

The 2.4-acre site fronts Clover Lane across from the townhomes. It will be adjacent to other properties along Clover Lane & North Country Club Drive with the R-8 zoning classification. The Planning Board recommended rezoning.

Mayor Sergent opened the public hearing.

Attorney Tom Currin – 316 Main Street and representing Thorndale Oaks - He briefly described that the proposed use was to develop the property the same as the property across the street from this parcel.

No one from the public wished to speak.

Mayor Sergent closed the public hearing.

REZONING APPROVED - AREA 2 (2.4 ACRES) OF THORNDALE OAKS PROPERTY FROM R-A TO R-8

COMMISSIONER BRIDGES MADE A MOTION TO REZONE AREA 2 OF THE THORNDALE OAKS PROPERTY CONSISTING OF 2.4 ACRES FROM R-A TO R-8 AS REQUESTED BY THORNDALE, LLC, D/B/A THORNDALE OAKS. COMMISSIONERS WILLIFORD, CURRIN, HERRING, STRICKLAND AND BRIDGES VOTED IN FAVOR; COMMISSIONERS HARRIS, AND FIELDS AGAINST. **THE MOTION CARRIED 5 TO 2.**

PUBLIC HEARING - REZONE AREA 3 (15.5 ACRES) OF THORNDALE OAKS PROPERTY FROM R-A TO R-6

A public hearing was held to rezone Area 3 of the Thorndale Oaks property consisting of 15.5 acres from R-A (residential-agriculture) to R-6 (1 & 2 family residential) as requested by Thorndale, LLC, d/b/a Thorndale Oaks.

The 15.5-acre site would have access off Hillsboro Street. The applicants have expressed interest in developing the property for apartments/condominiums. The Planning Board recommended denying this request.

Mayor Sergent opened the public hearing.

Attorney Tom Currin – 316 Main Street and representing Thorndale Oaks – Explained the use of the parcel was patio or town homes in cluster development if zoned R-6. This would minimize infrastructure needs. He noted that some of the property adjoining and across from this parcel is either institutional or apartments. There is no market for apartments like that on adjacent property. Due to the adjacent property uses, there is also no market for single-family homes. Oxford does not have cluster condominiums where someone else maintains the exterior and the landscaping. He felt the best use of this property is R-6 and asked the Board to consider the rezoning.

Attorney Currin later explained that the cluster homes would be on the north part of the property. This type of housing minimizes impermeable surface and minimizes stormwater runoff. He also noted that traditional duplexes require curb and gutter according to the City's Zoning Ordinance, which increases the amount of impermeable surface. When asked about R-8 versus R-6, Attorney Currin stated that multi-family dwellings, even with a special use permit are not allowed in R-8. He also noted that the Board could decide to rezone the parcel R-8 or any similar zoning classification, they didn't have to make the decision for R-6 zoning only.

Randy Gilmore – 114 W. Quailridge – Had concerns with stormwater runoff, noting that stormwater runoff collects in the ponds on this parcel and prevents water problems on his property. He was concerned that if the ponds were eliminated, then his property would flood. He noted the flooding problems in the area and along Cherry Street. He also expressed concern about the width of Clover Lane. He asked the Board to keep the R-A zoning until there is a

need for cluster housing, and in the meantime, asked the City to look at the stormwater problem in this area.

Chris Joyner - 103 W. Quailridge – Asked the Board to keep the zoning R-A and noted that the Planning Board recommended denying this request. He didn't want to see apartments in this area, single-family homes and duplexes similar to those on Clover Lane would be OK.

Mayor Sergent closed the public hearing.

Commissioner Currin noted that cluster homes would be great but with the R-6 zoning, apartments could still be constructed. He liked the idea of coming back at a later date to consider rezoning.

Commissioner Herring pointed out that a motion had not been made; and therefore, was a dead issue at this time. He had no problem with revisiting this area for rezoning in the future.

Answering questions from the Mayor and Board, Planning Director Hart noted that there was no specific reason that the Planning Board recommended denial; the vote was five to four. If the request was specific for a pod/cluster type housing in the form of a Planned Unit Development (PUD), it would go before the Planning Board with a public hearing and final decision by the City Board. No rezoning would need to occur. A PUD requires a specific site plan and criteria.

**NO MOTION TO REZONE - AREA 3 (15.5 ACRES) OF THORNDALE OAKS PROPERTY
FROM R-A TO R-6**

NO MOTION WAS MADE TO REZONING AREA 3 OF THE THORNDALE OAKS PROPERTY CONSISTING OF 15.5 ACRES FROM R-A TO R-6 AS REQUESTED BY THORNDALE, LLC, D/B/A THORNDALE OAKS. NO MOTION WAS MADE TO CONSIDER OTHER ZONING CLASSIFICATIONS FOR THIS PARCEL. AREA 3 WILL REMAIN R-A.

2-LOT SUBDIVISION APPROVED – WEST ANTIOCH ROAD

Mayor Sergent presented a request by Jean Evans to approve a 2-lot subdivision along West Antioch Road. The 2-lot subdivision meets the minimum requirement of the subdivision ordinance. Lot 2 is a 1.68 tract with a single-family dwelling. The dwelling is served by a private well and septic system and all of the setback requirements are met. Lot 1 consists of the remaining 7.87 acres. Staff and the Planning Board recommended approving the 2-lot subdivision.

COMMISSIONER STRICKLAND MADE A MOTION TO APPROVE A 2-LOT SUBDIVISION ON WEST ANTIOCH ROAD AS REQUESTED BY JEAN EVANS. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

TEMPORARY STREET CLOSING POLICY APPROVED

Mayor Sergent presented for approval, a Temporary Street Closing Policy. On a regular basis the City receives requests for temporary street closures that are placed on the agenda for consideration by the Board of Commissioners. Many of these closures are for annual non-profit events. Staff feels that the public would be better served through a less cumbersome street closing policy that allows the City Manager to concur with staff and approve/disapprove temporary street closures based on certain criteria.

The Management Team discussed this policy and Board members provided input at a previous Commissioners Meeting when the Board received a request from an individual wanting to close a street for a private party. This proposal takes into consideration input from those conversations, as well as the Boards past practice for closing streets. The policy allows Street Closings for events and activities that are sponsored by the City, by a non-profit, or for events such as a block party where multiple homes in the same block are involved. Personal or individual parties do not qualify for temporary street closings. The policy calls for a review and approval process by Staff that takes into consideration practicality, safety concerns, as well as discussion by the applicant with affected neighbors. A letter will be sent to organizations who requested street closings over the past two years to make them aware of the new policy. Staff recommended approving a Temporary Street Closing Policy as presented, effective upon adoption. Any recourse for denial would be the Board.

Commissioner Currin stated the requirements for obtaining an alcohol permit.

COMMISSIONER FIELDS MADE A MOTION TO APPROVE THE TEMPORARY STREET CLOSING POLICY AS PRESENTED, EFFECTIVE UPON ADOPTION AND INCORPORATED BY REFERENCE. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

****BELOW IS THE POLICY WITHOUT THE ADDITIONAL FORMS. THE FORMS ARE INCORPORATED BY REFERENCE AND ON FILE IN THE OFFICE OF CITY CLERK

PROCEDURE FOR TEMPORARY STREET CLOSING REQUESTS

Only non-profits and events such as block parties that involve multiple homes may obtain permission to temporarily close a street. Personal or individual parties do not qualify for temporary street closings.

1. Complete, sign and date the Request for Temporary Street Closing and Liability Waiver and turn them in to the City Clerk a minimum of 30 days in advance of the requested Temporary Street Closing.
2. The City Clerk will notify the applicant at the time of application if the street is State owned. If it is State owned then the applicant is also required to get permission from the NCDOT to close that street. Please contact Al Grandy with Durham office of the NCDOT at 919-220-4600 for approval. Once the applicant shows proof of permission from NCDOT, the City will proceed with their approval process.
3. The applicant will be notified with the status of the request within 5 business days of application and proof of state approval and ABC permit, if required.
4. Please note the following:
 - a. Trash and recycling receptacles are not provided by the City. The applicant will need to provide the appropriate receptacle or contact Waste Industries at 919-693-8669 for larger events.
 - b. It is also the applicant's responsibility to provide power, i.e. generator, for any items requiring the same.

- c. Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*. Contact the *fire code official* at 919-603-1142.
 - d. Portable open-flame devices (gas or liquids fueled devices used for heating or cooking) shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material. An approved ABC 5lb. fire extinguisher shall be on-site and easily assessable during the operation of this equipment.
 - e. Applicants are responsible for insuring that a clear 12' driving lane remains available for emergency vehicles. Any street closing that restricts all access to any property, or portion of property, shall be inspected by fire code officials at the time of the closing. If you have questions about this requirement contact the *fire code official* at 919-603-1142 BEFORE setting up the event area.
 - f. Applicants are responsible for notifying neighbors affected or blocked by the temporary street closing prior to receiving approval by City. Temporary street closing for the purpose of a 5-k or similar event where the route is closed for a short period are not required to notify neighbors.
 - g. Applicants shall provide a copy of the ABC permit allowing their serving of alcohol.
5. The party responsible for the event shall maintain a copy of the approved street closing form at the event.

OCTOBER FINANCIAL HIGHLIGHTS BY FINANCE DIRECTOR BELTON

Finance Director, Harold Belton, presented and summarized the October financial report.

General Fund revenue included collections of 57% Ad Valorem Taxes, 52% Licenses & Permits, 13% Intergovernmental, and 37% All Other Revenue. Expenses included 35% General Government, 35% Finance, 41% Building & Equipment, 68% Swimming Pool, 62% Lake Devin, 71% Oxford Athletic Park Operations and 119% Miscellaneous Non-Departmental.

Water Fund revenue included 35% Billing Revenue. Expenses included 39% WWTP, and 98% Stovall Booster Pump Station, 43% General Operations/Collections, 51% Miscellaneous Non-Governmental Wastewater.

All Other Fund revenue included 118% Water Capital Projects. Expenditures for all other funds were well within the expected expenditure authority of 14%.

<u>OCTOBER 2014 Financial Report</u> 33.3% of FY Complete	<u>General Fund</u>	<u>Water Fund</u>	<u>Other Funds</u>
REVENUES			
YTD	\$ 3,308,429	\$ 1,633,919	\$ 842,861
YTD Percent of Budget (minus loan proceeds and fund balance allocation)	40%	35%	39%
EXPENSES			
YTD	\$ 2,922,284	\$ 1,580,197	\$ 299,830
Budget	\$ 8,472,365	\$ 4,955,044	\$ 2,177,589
YTD Percent of Budget (minus loan proceed, and fund balance allocation)	34%	32%	14%
DIFFERENCE (Revenues – Expenses) 2014-15 YTD	\$ 386,145	\$ 53,722	\$ 543,031

CITY MANAGER REPORT

Engineering: The 1 MG Equalization Tank at the WWTP is under construction. We are in the process of looking for land for an elevated water storage tank around the Industry Drive and NC Highway 15 South area. We have been researching a stormwater issue at Oxford Park related to the ponds between the Oxford Park Swim Club and the Oxford Athletic Park and will be meeting with the Bode's to find a solution that is acceptable to all parties. Amy has been working with several departments to plan for the implementation of our GIS program. Several departments will be involved in the gathering of data and Amy is in conversation with NCCU about interns who would also assist in data collection.

Parks and Recreation: The Parks & Recreation Department closes out registration for basketball and basketball cheerleading on Friday November 14th. We are increasing our web use each day with new families starting accounts and registering online. We are about 75% complete on our renovation of Rucker Field. Information on Spring Adult Softball leagues is out and we are getting positive feedback and interest for these leagues which will begin in March. Christine reached back out to the School Superintendent's office to try to find ways to better reach our families and to expand our service to school-age children and she is hopeful we will get together very soon on these new concepts. The Red Barn recently sustained approximately \$1500 in damages from vandalism but repairs have been completed. There were 16 people in attendance at our Lake Devin Public Forum and there was some very healthy discussion on possible improvements at Lake Devin. I was also encouraged to see some people show interest in a Friends of Lake Devin organization and I hope to see us assist in the formation of a group that will be advocates for improvements at the lake.

Planning: Pamela Glover found a company called Compliance Connections that provide free assistance to municipalities and counties in locating the lien holder and/or servicer responsible for vacant, abandoned or unmaintained properties. The Planning Dept. has started using this service and so far it has been helpful.

Fire Department: The OFD has been scheduled for a protection survey to be conducted by the NC Department of Insurance Office in January. They will be in town for 3-5 days conducting the survey, which will determine the public protection classification, and is used in the calculation of fire insurance premiums. A tremendous amount of work goes into the planning and preparation for this visit which looks at everything from our water supply and distribution system, manpower, equipment, training and our means of receiving and handling fire alarms. Chief Cottrell is heading up this effort and will be assisted by other departments.

Police Department: Chief Coley is working on a proposal to reinstitute the Captains position. There appears to be enough funding from lapsed salaries to fund the position. We will be bringing a full proposal to the Board for discussion and consideration in the near future. We have purchased three vehicles, two are marked as patrol cars and one is an unmarked detective's car. The "Oxford Police Department Turkey Drive" is under way from now until Nov 26. The OPD is partnering with Cornerstone Community Church, and Granville County Schools to receive donations of turkeys and/or hams (size not important) that will be given to those in need.

Public Works: Water and Sewer Division - The crew repaired a significant water main break on Linden Ave. A new tool truck was delivered for the department. Water and Sewer Crew replaced one, of two booster pumps at the booster station. Joel, Ronald, and Stevie were tested on the C-Well operator licensing test with results pending. This operator license is required for the addition of chlorine to the water going to Stovall. The water system received results on the quarterly THM and HMA5 testing. The water system is on track with the yearly averaging to be under the Maximum allowable limit. Training on December 17th has been setup for both departments to go over the proper process and regulatory changes for calling location tickets before excavation can be started. The crew participated in a live webinar sponsored by the American Water Works Association and the CDC on the facts of Ebola transmission in sewer plants and conveyance systems. The crew is also working on testing and flowing hydrants in preparation for the fire system audit. Street Division - Leaf season has started. The new truck and equipment are welcomed additions by the crew. There have been several trees cut and over twenty stumps ground. The department hired two temporary workers to help with leaf season. The department has also been completing multiple asphalt patches before the weather gets too cold to complete patching. The department is getting equipment ready and preparing for snow season. We had a large interest within the city and outside the city for the crew leader position. Interviews will start the week of the 10th. The departments participated in a Knuckle Boom Truck demonstration. James is working on a quote for a bicycle/pedestrian walkway at Mary Potter School. New fifteen-minute parking signs were installed at the post office this week and no U-turn signs were installed on Main and Hillsboro Streets.

COMMITTEE REPORTS BY THE BOARD

The City is represented by Commissioners on various committees and boards pertaining to our community and local government. Reports and updates by our representatives on meetings that occurred during the month are as follows:

- Downtown Economic Development Commission – Commissioner Currin
- Granville Greenways Council – Commissioner Fields
- Kerr-Lake Regional Water System - Commissioner Strickland, City Manager Hemann

- Kerr-Tar COG – Commissioner Bridges
- County Board Meeting – Mayor Sergeant
- 200th Anniversary Committee update – Commissioner Williford

CONSENT AGENDA APPROVED

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE CONSENT AGENDA. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

- Accepted the October Financial Report by Finance Officer Harold Belton.
- Approved the following 2014 meeting minutes:
 - * October 6, Agenda Session * October 14, Regular Session
 - *October 29, Special Session

ADDITIONAL COMMENTS

Commissioner Strickland expressed concern over the purchase of the Police vehicles during the City Manager’s Report. Budgeted were three patrol cars, purchased were two patrol cars and one unmarked, detective car. He also noted that a position may need to be reclassified to create the Captain’s position because the Captain’s position was filled by an officer’s position. He also suggested adding two more No-U turn signs – one on Hillsboro and one on Main Street in the opposite direction from the new ones installed.

Chief Coley explained that the engine in one detective vehicle blew up and the other needed a new transmission. The cars were moved around to help sustain daily operations. He also explained officer reassignments and how that affected the number of patrol and detective vehicles needed.

Commissioner Strickland asked that the City discuss during the Planning Retreat the possibility of taking over the Veterans’ Day Parade.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 9:25 P.M., MPT HERRING MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

Barbara J. Rote, City Clerk

ATTEST:

Jacqueline vdH Sergeant, Mayor