

**NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD**

**OXFORD CITY HALL, BOARD MEETING ROOM,
TUESDAY, MAY 9, 2006 AT 7:00 PM**

The Mayor and Board of Commissioners of the City of Oxford met for Regular Session at City Hall, 300 Williamsboro Street at the above-mentioned time and place.

Present: Mayor Alvin Woodlief, Jr.
Mayor Pro Tem Howard G. Herring, Sr.
Commissioner S. Quon Bridges
Commissioner Paul Kiesow
Commissioner Chance Wilkinson
Commissioner Stephen C. Powell
Commissioner Robert Shope
Commissioner Robert B. Williford, Sr.

Present also were City Attorney J. Thomas Burnette, City Manager Thomas S. Marrow, City Clerk Tanya S. Weary and Deputy Clerk Donna B. Hosch.

All members of the board and local news media were notified of the time, place and purpose of the meeting.

Mayor Woodlief called the meeting to order.

Reverend Phillip Betts gave the prayer.

The Pledge of Allegiance followed the prayer.

**MAYOR'S YARD OF THE MONTH AWARD -
ANN COOKE – MAY'S RECIPIENTS**

Mayor Woodlief recognized May's Mayor's Yard of the Month winner, Ann Cooke. Mayor Woodlief read the certificate, which recognizes her for the outstanding job of landscaping maintenance and overall attractiveness of 305 Broad Street. He added that a sign would be

placed in her yard recognizing her as the winner for Mayor's Yard of the Month and that a picture would be taken for the *Oxford Public Ledger*.

PUBLIC COMMENT

No one wished to speak on items not on the agenda. Mayor Woodlief recognized two people had signed up wishing to speak on the proposed annexation of Rollingwood and noted they would be given the opportunity to speak during the public hearing.

ANNEXATION PUBLIC HEARING – ROLLINGWOOD SUBDIVISION

Mayor Woodlief declared the public hearing open. The purpose of the public hearing is to explain the annexation report of plans for services and give all persons residing in the proposed annexation area and any citizens of Oxford the opportunity to speak concerning the proposed annexation.

City Manager Marrow noted that the General Statutes require the following:

The policy of the North Carolina General Assembly regarding annexation by municipalities with populations of 5,000 or more is set forth in 160A-48 through 160A-54 of the North Carolina General Statutes. A municipality may annex an area, which meets the following statutory standards required under the statutes:

- 1) The area must be contiguous to the corporate limits;
- 2) At least one-eighth of the total boundary of the area must coincide with the municipal boundary;
- 3) No part of the area may be within another municipality;
- 4) Part or all of the area must be “developed for urban purposes”, which means any area which has a total residential population equal to at least two persons for each acre of land included within its boundaries, or has a total resident population equal to at least

one person for each acre of land included within its boundaries, and is subdivided into lots and tracts such that at least sixty percent (60%) of the total acreage consists of lots and tracts five acres or less in size and such that at least sixty-five percent (65%) of the total number of lots and tracts are one acre or less in size, or is so developed that at least sixty percent (60%) of the total acreage, not counting the acreage used at the time of annexation for commercial, industrial, governmental, or institutional purposes, consist of lots and tracts five acres or less in size.

He explained Rollingwood Subdivision meets the General Statutory test. He noted the annexation would increase the population and tax base. City Manager Marrow noted the City would provide the services to the residents of Rollingwood, such as water, sewer, garbage, fire and police protection. He added the City has the necessary funds to fund this. He reported adoption of the annexation ordinance is scheduled for June 5, 2006 at 5:45 PM with an effective date of the annexation to be September 1, 2006.

Allen Johnson of 106 Spruce Drive and President of Rollingwood Subdivision Homeowners Association asked once Rollingwood is annexed who is the enforcer of the covenant? City Attorney Burnette explained that the City does not enforce a private restrictive covenant. Mr. Johnson asked if the developer would have the authority of the covenant? City Attorney Burnette noted if the covenant states this. Mr. Johnson noted that the homeowners association wants to be the enforcer of the covenant. He added the homeowners association does not want situations where people have junk cars or do not mow their lawns. Mayor Woodlief commented the City would address these issues. Mr. Johnson stated according to the covenant the City would not have the right to do this because the developer could waive in any circumstance.

Commissioner Herring stated the City has nothing to do with the covenant; the agreement is between the homeowners and Mr. Bergen. Mayor Woodlief explained the City ordinances would overlay this. Commissioner Wilkinson noted the City has ordinances in place to address these issues, regardless of the restrictive covenant. The covenant is another layer to help enforce.

Mary Gregory Greene of 104 Green Tree Circle asked if the City would flush the water once Rollingwood is annexed into the City. She added the water does not smell good. City Manager Marrow explained the City would install an automatic fire hydrant flusher in Rollingwood that would be on a timer to dump the water daily.

**ROLLINGWOOD STREETLIGHTS TO BE TAKEN
OVER BY CITY ONCE ANNEXED**

Commissioner Wilkinson placed this item on the agenda.

Commissioner Wilkinson noted Rollingwood Subdivision has more streetlights than required by the City. He added under the proposed plan the homeowners would continue to pay for the extra cost of these additional streets. He asked for the City to pay for the additional cost. He suggested addressing this in the ETJ subdivision rules so in the future there will not be a problem.

Commissioner Wilkinson motioned to pay for the additional streetlights in Rollingwood Subdivision. Commissioner Bridges seconded the motion.

Commissioner Kiesow asked if this would violate current policy? City Manager Marrow explained it should not affect the current policy because the streetlights exist. He added usually the developer must be encouraged to install streetlights and added the subdivision regulations would be studied to address this in the future. He stressed this would not affect the current City policy. City Attorney Burnette agreed.

The motion passed unanimously.

Mayor Woodlief recognized two residents of Rollingwood Subdivision who came into the meeting room. He summarized the items addressed during the public hearing. One of the residents asked if the school buses would come into the subdivision. City Manager Marrow noted the schools are through the County and added he assumed the buses would. Mr. Johnson stated that legislation states if the streets are City maintained the buses would come into the subdivision. City Manager Marrow asked if the buses were entering the subdivision currently. Mr. Johnson responded the children are picked up on Highway 96 and added the buses used to come into the subdivision. Mayor Woodlief noted the City would contact Granville County Schools about this concern.

GRANVILLE COUNTY ECONOMIC DEVELOPMENT QUARTERLY REPORT

Granville County EDC Director Leon Turner thanked Mayor Woodlief for his help in meeting and greeting people. He thanked City Manager Marrow and City Engineer Thomas for providing information when called upon.

Mr. Turner reported the federal government and USDA have transferred the ownership of the tobacco research station to the State of North Carolina. He noted he is working to entice biotech or crop science companies to make use of the facility. He explained \$10-12 million are needed to upgrade the laboratories and he added he is currently working with people in Washington, DC for funding. He stated two companies have looked at the property. He explained another company is to look at it by Labor Day. He added the Premier Quilting building has been leased to a company that will relocate from New York within the next 2-3 weeks. Mr. Turner noted an offer is in on the Cristex building. A company out of Durham has put an offer in on the High Price Warehouse building located on Highway 15.

Mr. Turner noted Millridge Properties should own all the property at the Granville Business Park (formerly known as the hub project) within the next two weeks and added water and sewer will not be cheap and would probably be done in stages with the closest entrance at Tabbs Creek. He reported 3-4 miles of road would be inside the park. He explained the site is being marketed and it is the only site that a company can build on 100+ contiguous acres with adequate water and sewer capacity. He added activity should take place by early fall. Mr. Turner stated the Hancock building has been leased for 1 year with option for additional years. He explained CertainTeed and NT Techno are planning to hire around 200 people between them. Mr. Turner told a major residential project and golf course if possible north of Oxford. He noted this could create a huge water and sewer customer for Oxford. He reported the Montague Industrial site has been looked at by a prospect. He added the Avnet building is the only building left available, which is limited due to low ceilings.

Mayor Woodlief added retail businesses and a college are looking at Oxford and commented commitments are close. Commissioner Kiesow questioned the location of the residential area. Mr. Turner responded it is on the other side of the meter toward Stovall. Commissioner Shope asked if Mr. Turner had spoken with DOT about an entrance to the Granville Business Park coming off the 206 exit and added this is a close entrance. Mr. Turner noted two options are available: 1) Industry Drive and not going up Tabbs Creek Road and 2) going up Tabbs Creek Road and widening the road. A decision has not been made and the County and EDC office recommended using the DOT funds towards this project.

Commissioner Bridges asked what type of company is from New York? Mr. Turner explained it is a distribution company. The company to possibly locate on Highway 15 is a publishing company out of Durham.

FINANCIAL REPORT – APRIL 2006

Finance Officer Stephen McNally supplied the Board with a copy of the April 2006 financial report that included General Fund actual revenues of \$408,428 actual expenses of \$482,095; Water Fund actual revenues of \$1,119,656, and actual expenses of \$272,195 and Other actual revenues of \$50,568 and actual expenses of \$188,953. The subtotals to date are General Fund actual revenues of \$5,639,749 and actual expenses of \$5,334,802; Water Fund actual revenues of \$7,720,513 and actual expenses of \$7,276,188; Other actual revenues of \$764,083 and actual expenses of \$680,682. Mayor Woodlief noted that if there were not any questions concerning the report, Finance Director McNally would be in his office tomorrow for any questions.

SPECIAL SESSION CALLED – ADOPT ANNEXATION FOR ROLLINGWOOD SUBDIVISION – JUNE 5, 2006 AT 5:45 PM

Commissioner Kiesow motioned to call for a Special Session in conjunction with the Agenda session on June 5, 2006 at 5:45 PM to consider adopting the annexation ordinance for the proposed annexation of Rollingwood Subdivision. Commissioner Powell seconded the motion and carried unanimously.

15-MINUTE PARKING REQUEST – JONES DRUG STORE

Commissioner Shope noted he had spoken with Jones' associate and indicate they are not really concerned with the two 15-minute parking spaces. The request was made due to the two spaces across the street. He added he spoke with adjacent business owner David Stovall and Coble printing about the request and both spoke against this request. He reported he spoke with the owner of Granville Video and she did not want to give up the spaces. Commissioner Shope suggested the 15-minute parking space in front of the old Capehart Cleaners should be changed

to two hour parking. He stressed the consensus is that the two 15 minute parking spaces are not needed.

Commissioner Kiesow suggested referring this request and the suggestion to change the 15-minute parking space in front of the old Capehart Cleaners to two hours to DOEDC for their recommendation and report to the Board.

NU TECH PAVING APPROVED – BASKETBALL COURT

Commissioner Bridges, Chairman of the Recreation Committee asked if the manager's comments concerning NU-Tech cost bid is approximately three times more expensive than S.T. Wooten's bid (\$18,000 vs. \$6,000) is a valid statement. City Manager Marrow explained the gap is closed. NU-Tech's bid is \$16,320; S.T. Wooten bid \$11,761 and a verbal bid from Campbell Paving of \$9,200. Commissioner Bridges commented the tennis courts and drainage look good. He added he had spoken with Recreation Director Mary Caudle and she indicated NU-Tech would do a good job paving the basketball court. City Engineer Larry Thomas recommended NU-Tech.

Commissioner Bridges motioned for NU-Tech to pave the basketball court in the amount of \$16,320.00 as submitted by NU-Tech. Commissioner Shope seconded the motion.

Commissioner Powell asked what is the comparison of the two products (NU-Tech and S.T. Wooten) and asked if both companies would deliver the same goods and services? City Engineer Thomas noted NU-Tech specializes in court surfacing and does all the resurfacing for North State. He commented Wooten would do a good job, but they specialize in paving roads and parking lots. He added that NU-Tech and S.T. Wooten use the same asphalt and equipment; NU-Tech specializes in athletic facilities.

Commissioner Kiesow asked if the budget amendment approved in the amount of \$40,000 viable? City Engineer Thomas noted no money has been spent.

Commissioner Williford asked about a warranty? City Engineer Thomas responded one year.

City Manager Marrow clarified that NU-Tech uses sand in the asphalt and Wooten uses gravel in the asphalt. The asphalt applied by NU-Tech would be smoother. He recognized NU-Tech quoted an additional 100 square yards. City Attorney Burnette noted NU-Tech bid on 887 square yards and Wooten bid on 764 square yards.

Commissioner Herring noted the City needs to do the basketball court first class and recognized the Board has already approved the monies for the court, the only thing left to do is approve a contractor to pave the court.

Commissioner Bridges motioned for NU-Tech to pave the basketball court in the amount of \$16,320.00 as submitted by NU-Tech. Commissioner Shope seconded the motion. The motion passed unanimously.

RESOLUTION ADOPTED – 2006 CLEAN WATER BOND

Commissioner Kiesow motioned to adopt a resolution for the 2006 Clean Water Bond. Commissioner Herring seconded the motion. The motion passed unanimously.

2006 Clean Water Bond Resolution

WHEREAS North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations, and

WHEREAS North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers, and

WHEREAS North Carolina's businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs and an attractive natural environment, and

WHEREAS the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- helped create or retain 42,000 jobs
- corrected major regulatory violations in 97 communities
- addressed failing septic systems and contaminated wells in 59 counties
- resulted in 50 communities receiving sewer service for the first time,
- encouraged regional efficiencies, sound planning and conservation practices,

WHEREAS North Carolina's public water, sewer and stormwater utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years;

NOW THEREFORE BE IT RESOLVED that the Oxford Board of Commissioners urges the North Carolina General Assembly to enact a \$1 billion bond bill in the 2006 session to fund construction and repair of urgently needed water, sewer and stormwater facilities.

BE IT FURTHER RESOLVED that the Oxford Board of Commissioners calls upon the Governor and the General Assembly activate the State Water Infrastructure Commission to address the state's long-term water infrastructure needs with a visionary plan for sustained funding of water, sewer and stormwater system improvements

CHANGE ORDERS APPROVED – WWTP UPGRADE

City Manager Marrow noted removing and legally disposing of stockpiled vegetative and C&D debris cost is not finalized. He asked the Board for a range for the removal of the debris. Commissioner Kiesow explained the change orders are before \$10,000 net and felt to get it down to zero. City Engineer Thomas noted 1) add painting exterior of blower building - \$3,539; 2) add plug valve to existing clarifier drain line - \$4,646; and 3) modifications to electrical room in existing blower building - \$13,542 are the same as reviewed by the Public Works Committee. He explained the removal of the stockpiled debris has been negotiated from \$29,939 to \$24,500 and is still being negotiated. City Engineer Thomas stated the item deleting painting interior oxidation ditch has been negotiated from an original deduction of \$41,399 to \$24,375. This means the City would receive a credit of \$8,148, with a \$6,000 credit being the worse.

Commissioner Kiesow, Chairman of the Public Works Committee, made a motion to approve the change order for the Wastewater Treatment Plant upgrade as submitted by Dewberry & Davis for work done by Adams/Robinson Enterprises, Inc. Commissioner Wilkinson seconded the motion. The motion passed unanimously.

STORMWATER EDUCATIONAL SUPPORT SERVICE – WEBSITE APPROVED

Commissioner Kiesow, Chairman of the Public Works Committee, recognized past Stormwater educational programs: Triangle J agreement for a television commercial; literature distributed to Cooperative Extension Service and in Water/Finance Department; and a PowerPoint presentation presented on several occasions.

Commissioner Kiesow motioned to approve the Stormwater education support service website proposal as submitted by Currin & Currin, LLC, which includes an hourly rate of \$50.00 and not to exceed \$1,000.00 per month for a yearly total not to exceed \$5,500.00. Commissioner Wilkinson seconded the motion.

**PUBLIC HEARING / ADOPTION OF BUDGET ORDINANCE FOR 2006-2007
FISCAL BUDGET – JUNE 5 & JUNE 13, 2006**

Commissioner Bridges made a motion to hold a public hearing in conjunction with the Agenda Session on June 5, 2006 at 5:45 PM to receive public input on the upcoming budget and consider adopting the FY 2006-2007 Budget Ordinance at the Regular Session meeting beginning at 7:00 PM on June 13, 2006. Both meetings are scheduled in the 3rd Floor Board Room, City Hall. Commissioner Wilkinson seconded the motion and carried unanimously.

FENCE APPROVED FOR DITCH AT GRANVILLE STREET PARK

Commissioner Herring placed this item on the agenda.

Commissioner Williford, Chairman of the Property Committee, noted the Committee looked at the request and recognized it is dangerous for small children and recommended to construct fence, as it would be almost impossible to fill in the ditch.

Commissioner Kiesow commented he did not feel that the fence is needed, but if the City does not do anything and someone gets hurt, at least the City tried.

Commissioner Williford motioned to construct a fence at the ditch located at Granville Street Park for the protection of small children and erect the fence 5 feet from the ditch and 2-3 inches above the ground in order to provide for easier upkeep. Commissioner Bridges seconded the motion. The motion passed unanimously.

MAYOR'S SUPPORT FOR RELAY FOR LIFE

Commissioner Kiesow placed this item on the agenda.

Commissioner Kiesow recognized Mayor Woodlief has made a strong support for Relay for Life and this is commendable. He noted Mayor Woodlief has asked for people to support Relay for Life throughout the community. He commented any criticism of this is unchristian and stressed Relay for Life is a great program.

CONSENT AGENDA APPROVED

A. Meeting Minutes

Commissioner Herring motioned to approve meeting minutes of April 3, 11 & 24, 2006. Commissioner Williford seconded the motion. The motion passed unanimously.

ADJOURNMENT

There being no further business to discuss, Mayor Woodlief adjourned the meeting.