

CITY OF OXFORD
BOARD OF COMMISSIONERS' MONTHLY AGENDA MEETING
Monday, August 31, 2015 – 5:30 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

Mike McLaurin, Interim City Manager
Barbara Rote, City Clerk

J. Thomas Burnette, City Attorney

Jackie Sergent, Mayor

[CALL TO ORDER]

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

1. **Receive July Finance Report - Finance Director Pat Kehoe**

The July Finance Report was not available for the August 11, 2015 Board meeting.

Recommended Action: Receive the July Finance Report as presented by Finance Director Kehoe.

2. **Set the Agenda for the September 8, 2015 Regular Session**

[ADJOURNMENT]

REMINDERS:

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

- September 12: Hot Sauce Festival
- September 17: Alive After 5
- September 24: COG Banquet – 7:00 p.m., Boondocks, Youngsville

CITY OF OXFORD
BOARD OF COMMISSIONERS' REGULAR MONTHLY MEETING
Tuesday, September 8, 2015 - 7:00 p.m.
Commissioners' Boardroom, City Hall

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

Mike McLaurin, Interim City Manager
Barbara Rote, City Clerk



Jackie Sergent, Mayor

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

J. Thomas Burnette, City Attorney

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****

[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, Oxford Baptist Church
2. Pledge of Allegiance led by MPT Howard Herring, Sr.
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 – September Yard of the Month to Dwain Stroud and Todd Comer, 134 Military St.
6. Proclamation honoring Augustus (Gus) Washington for many years of service as a Downtown business owner.

[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.

7. Public hearing for non-contiguous voluntary annexation of 1.0 acres of land on Landis Road owned by Oxford Charter Holdings, LLC.

The property owner is petitioning the City to receive City services for the additional acre needed to develop Oxford Preparatory School. 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)

- 7a. Consider Non-Contiguous Annexation Ordinance for 1.0 acres of land on Landis Road owned by Oxford Charter Holdings, LLC effective September 8, 2015.

Recommended action: Staff recommends adopting the Non-Contiguous Annexation Ordinance for Oxford Charter Holdings, LLC, effective September 8, 2015.

8. Public Hearing to consider conveying 2.46 acres of City property located at 1490 Williamsboro Street.

Duke University Health Systems has approached the City about constructing a 13,000-15,000 sq. ft. Doctors' Office and Urgent Care facility on the City owned 2.46 acre site at 1490 Williamsboro St. Duke prefers to have a build to suit contractor build and lease the facility to them and they are working with TKC Land Development II, LLC on the project. Having the project owned by TKC Land Development II makes the property taxable. Following the public hearing, the Board can proceed with purchase approval. (Attachment)

- 8a. Consider adopting the Resolution Authorizing the Sale of Economic Development Property for 2.46 acres of land at 148 Williamsboro Street by private negotiated sale according to G.S. 158-7.1 to TKC Land Development II, LLC, in the amount of \$140,000 for the purpose of constructing a Doctors' Office/Urgent Care facility by Duke University Health Systems.

State Statute 158-7.1 entitled "Local Development" offers Cities and Counties the ability to designate property for development in order to encourage and create private development that creates tax base and new jobs. A conveyance under G.S. 158-7.1 requires the developer pay market value which is \$140,000 according to our opinion of value. The Statute also allows the governing body to include covenants, conditions and restrictions (performance measures for development, job creation, etc.). (See Attachment)

Recommended action: Staff recommends adopting the Resolution Authorizing the Sale of Economic Development Property for 2.46 acres of land at 148 Williamsboro Street by private negotiated sale according to G.S. 158-7.1 to TKC Land Development II, LLC, in the amount of \$140,000 for the purpose of constructing a Doctors' Office/Urgent Care facility by Duke University Health Systems.

- 8b. Consider Development Agreement with TKC Land Development II, LLC and Duke University Health Systems as presented, for the development of a Doctors' Office /Urgent Care Center on 2.46 acres of City property located at 1490 Williamsboro St. for the purpose of economic development according to G.S. 158-7.1, , and authorize the City Manager to sign the Agreement.

City Manager Hemann and City Attorney Burnette have written a Development Agreement according to G.S. 158-7.1 in order to convey property for the purpose of economic development. The Development Agreement includes the following:

- Minimum Building Size: 13,000 sf
- Minimum Investment \$3 million
- Minimum Employment at opening - 29 (including any unfilled and/or advertised positions)
- Employment by 2020 – 36 (including any unfilled and/or advertised positions)
- Construction to begin no later than October 2016
- Construction to be completed no later than January 2018
- All parties agree the building will remain owned by a taxable entity or that the owner agrees to pay an amount equal to the taxes for a period of no less than 15 years from the issue of the Certificate of Occupancy
- The City will have the ability to buy the land back if for some reason the building is not constructed by January 2018. (See Attachment)

Recommended action: Staff recommends approving the Development Agreement with TKC Land Development II, LLC and Duke University Health Systems as presented, for the development of a Doctors' Office /Urgent Care Center on 2.46 acres of City property located at 1490 Williamsboro St. for the purpose of economic development according to G.S. 158-7.1, and authorize the City Manager to sign the Agreement.

[OLD BUSINESS]

No Old Business

[NEW BUSINESS]

9. Consider Accepting Certificate of Sufficiency for Petition of Voluntary, Contiguous Annexation of 7.417 Acres of land along I-85 owned by B&B Properties.

B&B Properties has petitioned the City to annex 7.417 acres of land adjacent to the Boyd Honda and Ford dealerships along I-85 in order to renovate and expand the dealerships. The annexation request was required to receive City services for the additional acreage. This is the next step in the process as the City considers annexing the property. (Attachment)

Recommended action: Staff recommends accepting the Certificate of Sufficiency for Petition of Voluntary, Contiguous Annexation of 7.417 acres of land owned by B&B Properties.

10. Consider calling for an annexation public hearing in conjunction with the October 13, 2015 Regular Session for 7.417 Acres of land along I-85 owned by B&B Properties.

Once the Certificate of Sufficiency is received for voluntary, contiguous annexation of 7.417 acres of property owned by B&B Properties, the Board can proceed with setting a public hearing for annexation or deny the petition. If the Board proceeds with annexation, then following the public hearing, and at the same meeting, the Board can vote to annex the property. (See Attachment)

Recommended action: Staff recommends calling for public hearing in conjunction with the October 13, 2015 Regular Session for 7.417 acres of land along I-85 owned by B&B Properties.

11. Consider budget amendment in the amount of \$1,500 for the Historic Preservation Commission (HPC) grant match and booking the offsetting entries within the Planning & Zoning Departmental Budget.

The original budget for FY 2015-2016 included the grant match funding which was promised for the Historic Preservation Commission's revised guidelines but not their regular operating budget of \$1,500. However, Temporary Wages for this same department (490-Planning & Zoning) were mistakenly double-booked so adequate funds for the regular operating budget are available in that line item. This requested Budget Amendment; in the amount \$1,500 is being issued to adjust the previous figures included in the 2015-2016 Budget, so that offsetting expenditure entries can be made to adjust for the inadvertent booking mistake. (Attachment)

Recommended action: Staff recommends approving a budget amendment in the amount of \$1,500 for the HPC grant match and booking the offsetting entries within the Planning & Zoning Departmental Budget.

[REPORTS]

12. August Financial Report highlights by Finance Director Kehoe. Report will be provided on meeting night.

[CONSENT AGENDA]

13. Accept the August Financial Reports by Finance Director Kehoe (available on meeting night)

14. Approve tax releases to US Small Business Administration totaling \$123.52 (\$60.48, \$60.48, \$1.28, \$1.28), for exempt property that was billed in error.
15. Approve the following 2015 meeting minutes:
 - * August 3, Agenda Session
 - * August 11, Regular Session
 - * August 20, Special Session

[BOARD COMMENTS]

[ADJOURNMENT]

REMINDERS:

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

- September 12: Annual Hot Sauce Festival – 11:00 a.m. Downtown Oxford
- September 17: Alive After 5
- September 24: COG Banquet – 7:00 p.m. Boondocks, Youngsville

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.