

TUESDAY, MAY 10, 2016 – 7:00 P.M.
REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS
COMMISSIONERS' BOARD ROOM – CITY HALL

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.

Present were Mayor Jackie Sergent, MPT Calvin (C.J.) Harris, Jr., Commissioners James (Danny) Currin, Frank Strickland, S. Quon Bridges, Patricia T. Fields, Ron Bullock and Al Woodlief. Also present was Attorney J. Thomas Burnette, City Manager Elke Doom and City Clerk Barbara Rote.

CALL TO ORDER

Mayor Sergent called the meeting to order. Reverend Chris Aho, Oxford Baptist Church gave the prayer; the Pledge to the flag followed led by Commissioner Patricia Fields.

AGENDA APPROVAL & ADDITIONS

COMMISSIONER CURRIN 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.

MAY YARD OF THE MONTH
PEGGY ELLIOTT

Mayor Sergent recognized Peggy Elliott for the May Yard of the Month. Ms. Elliott was unable to attend the meeting. However, she will receive a certificate and will be eligible for a grand prize drawing in October.

OFFICER TONY TART INTRODUCED
PROCLAMATION NATIONAL POLICE WEEK

Police Chief Coley introduced Officer Tony Tart, the newest member of the Oxford Police Dept. Mayor Sergent presented Police Chief Coley and Officer Tart with a proclamation recognizing May 15-20 as National Police Week.

NATIONAL POLICE WEEK PROCLAMATION

WHEREAS, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and, further, the calendar week in which May 15 falls was established by a joint resolution of Congress in 1962 as National Police Week.; and

WHEREAS, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, thus far in 2016, there have been 32 police officers and 12 K9 dogs tragically killed in the line of duty throughout the nation; and

WHEREAS, it is important that all who need their services recognize and understand the problems, duties, and responsibilities of law enforcement agencies and their officers , and that they should equally appreciate the daily contributions made by law enforcement officers; and

WHEREAS, the members of the Oxford Police Department play an essential role in safeguarding not only the rights and freedom of the residents, land, and business owners of the City, but also their safety and well-being ; and

WHEREAS, it is important that the residents and stakeholders of Oxford recognize and appreciate the contributions and personal sacrifices made by our own law enforcement officers and their families;

NOW, THEREFORE, I, Jacqueline vdH Sergent, Mayor of the City of Oxford, North Carolina, along with the Oxford Board of Commissioners, do hereby declare and observe the week of May 15 through May 20, 2016 as National Police Week.

PUBLIC COMMENT

POPE – 217 COLLEGE ST.; SIZEMORE – MOWING RIGHT OF WAY; STRATER – MOSQUITO CONTROL & DITCH

Phil Pope – 213 College Street addressed the Board about the dwelling at 217 College Street. The property is between his home and C.G. Credle Elementary School. The home has been in poor condition for many years, with animals living inside, and empty alcohol containers and drug paraphernalia outside. He understands that a historical society has taken on the task of selling the property but his concern is that if the property is sold, then the buyer may just let it continue to sit. He noted a letter he sent in 2014, along with a letter sent from the School District around the same time, asking the City to take action on the situation due to the condition of the home and the hazardous environment. He emphasized his concern for the safety of the children at C.G. Credle School. He noted that the community deserves better and hopes that the Board can do better at resolving the matter.

As a follow up by the Mayor and Board – it was noted that Preservation NC was marketing the house, there should be a buyer within the next 30 days, and the potential buyers are ready to make the necessary improvements. Commissioner Currin noted that he was interested in having the house removed.

Jerry Sizemore – 501 Coggeshall Street addressed the Board about receiving a letter requesting him to mow grass that is in the NCDOT right-of-way. He noted that for many years, the City mowed the right-of-way but it had stopped. Over the past couple of years, he received a letter from the City telling him that it was his responsibility to mow the grass. He along with Commissioner Strickland contacted NCDOT and they confirmed that the property was NCDOT property. He asked the Board to suspend the letter requiring him to mow the grass and assist with mowing the right-of-way.

As a follow-up by the Mayor and Board, Commissioner Strickland explained that he contacted NCDOT. He realized that NCDOT does not cut the right-of-way in a timely manner. He along with other Board members asked the staff if they could mow this piece of right-of-way. Commissioner Woodlief explained that years ago, the City bought a tractor for mowing rights-of-ways between NCDOT's scheduled mowings. The Board concurred to suspend Mr. Sizemore's requirement to mow the right-of-way. Staff would look into any policies previously adopted by the City for mowing the NCDOT rights-of-ways.

Elijah Strater – 201 Alexander Avenue addressed the Board about cleaning (deepening) the drainage ditches along Alexander and parts of Goshen to help with drainage and to prevent mosquito habitat. He mentioned that the drainage ditches have almost become yards. He has lived at this residence since 1999, and remembers only one time when a ditch was cleaned. He asked the Board to consider a policy on ditch cleaning.

As a follow-up, staff will contact Mr. Strater to see if the situation can be resolved.

PUBLIC HEARING
AMEND ZONING ORDINANCE FOR COMMERCIAL CHILD CARE IN R-6

Mayor Sergent presented a request by the Planning Board to amend the Oxford Zoning Ordinance in order to have a commercial child care facility in a R-6 zoning district as a special use permit.

The requested amendment would add value to an existing vacant commercial structure at 614 Raleigh St., and help to stabilize the neighborhood subject to successfully obtaining a special use permit. Currently the zoning ordinance allows day care facilities in a residential structure in the R-6 zoning district, the requested amendment would only apply to an existing commercial structure.

Mayor Sergent opened the public hearing.

Isom Hodges – owner of 614 Raleigh Street, asked the Board to approve the zoning amendment. He noted that he and his wife planned to start a before and after school program in memory of their children who were killed in a car accident.

No one else from the public wished to speak.

Mayor Sergent closed the public hearing.

ZONING ORDINANCE AMENDED FOR COMMERCIAL CHILD CARE IN R-6

MPT HARRIS MADE A MOTION TO AMEND THE OXFORD ZONING ORDINANCE IN ORDER TO HAVE A COMMERCIAL CHILD CARE FACILITY IN A R-6 ZONING DISTRICT AS A SPECIAL USE PERMIT. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

COMMERCIAL CHILD CARE FACILITY IN THE R-6 ZONING DISTRICT
AS SPECIAL USE

1. The building used must be that of an existing commercial building and retrofitted to meet all applicable requirements.
2. State license compliance and building, fire and zoning regulations must be met.

PUBLIC HEARING TREE ORDINANCE

Mayor Sergent presented a request from the Planning Board to adopt the proposed tree ordinance.

The City received a \$2500 grant in order to develop a tree ordinance. Consultant Rodney Swink was contracted to work with the Appearance Committee in developing a tree ordinance. The kick off meeting was held in September. After several meetings and discussions, the ordinance was drafted and reviewed by the Appearance Committee and Planning Board. The Tree ordinance will be incorporated into the Oxford Zoning Ordinance and will be reviewed by a subcommittee of the Appearance Commission. The Oxford Code of Ordinance also needs updated to reflect the changes in responsibilities of the Appearance Commission

Mayor Sergent opened the public hearing.

Wayne Dickenson, Division Sr. Arborist, Duke Energy Progress, commended the Planning Board for a good ordinance and asked if he could use the ordinance as a template for other communities. He mentioned a couple of items that could be considered for future updates.

- Section 12: Tree Topping – add an arborist to the City Tree Committee when reviewing trees that are severely damaged or under utility wires for consideration of tree topping. He noted that tree topping is really crown reduction and there are specific techniques involved in this process. Having an arborist would be beneficial.
- Section 17: Permits – based on the franchise agreement, Duke Energy Progress is exempt from applying for a permit; however, they will work with the Public Works Director and the City Manager when they plan to cut trees in the City.

Chris Sims, City resident who supported the addition of an arborist on the City Tree Committee.

Rodney Swink, Tree Ordinance consultant, agreed that tree topping should be carefully reviewed but felt that the Tree Committee could adequately complete the review without an arborist. He also recognized that the franchise agreement supersedes a permit requirement but suggested that the City issue Duke Energy Progress and annual permit. He later noted that Historic Trees have to be designated by the Board.

Commissioner Bullock suggested that the comments from Mr. Dickenson be considered for inclusion into the ordinance. However, after receiving comments from Mr. Swink and noting by

MPT Harris that the public had opportunities to comment on the ordinance before presentation to the City Board, no amendments to the presented ordinance were made.

No one else from the public wished to speak.

Mayor Sergent closed the public hearing.

TREE ORDINANCE ADOPTED & INCORPORATED INTO ZONING ORDINANCE
CITY CODE: APPEARANCE COMMISSION AMENDED - ORDINANCE 16-05-01

COMMISSIONER BRIDGES MADE A MOTION TO ADOPT THE OXFORD TREE ORDINANCE AND INCORPORATE THE ORDINANCE BY REFERENCE INTO THE OXFORD ZONING ORDINANCE AS THE CITY'S COMPREHENSIVE TREE PLAN AND AMEND THE OXFORD CODE OF ORDINANCES, CHAPTER 2, ARTICLE V, DIVISION 1: APPEARANCE COMMISSION ACCORDINGLY. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED. A copy of the Suggested Tree Planting List is on file in the Planning Department.**

Establishment of a City Tree Ordinance
A copy of the Suggested Tree Planting List is on file in the Planning Department

Be it ordained by the City Council of the City of Oxford:

Definitions – to be placed in Article 200 of the Zoning Ordinance

Diseased tree: A process in which fungi, bacteria, mycoplasmas, and viruses are able to invade and infect trees causing poor growth and weak appearance, disruption of plant processes, distortion of certain tree parts and strain or death of the tree.

Historic tree: A tree that has been specifically designated by the Oxford City Council as historic.

Park Trees: Trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Regulated tree: Trees which are located on private property and are listed as the champion or co-champion of its species, either on the "National Big Tree List" as compiled by the American Forestry Association or the "Champion Big Trees of North Carolina" as compiled by the North Carolina Division of Forestry Resources.

Street trees: Trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within any Street right of way.

Section 1. Creation and Establishment of a City Tree Committee

The public welfare and interest of the citizens of the city will best be served by establishment of an advisory committee to foster the preservation, planting, replacement and removal of trees without denying the reasonable use and enjoyment of real property. To that end the City of Oxford Appearance Commission, or a sub group of its membership, shall serve as the City Tree Committee.

Section 2. Term of Office

The term of the persons designated to serve as the City Tree Committee shall be concurrent with their term on the Appearance Commission unless otherwise decided by a vote of the Commission.

Section 3. Compensation

Members of the City Tree Committee shall serve without compensation.

Section 4. Duties and Responsibilities

It shall be the responsibility of the City Tree Committee, on behalf of the Appearance Commission, to study, investigate, council, develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of historic and regulated trees and trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of Oxford.

The City Tree Committee shall also document the presence of any Regulated and/or Historic Trees that may exist within the city limits or its territorial jurisdiction.

These duties will be in addition to those regularly occurring as part of Appearance Commission service.

Section 5. Operation

The City Tree Committee shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

The Committee shall meet as often as necessary to carry out its duties and responsibilities.

Section 6. Street Tree Species to be Planted

The City Tree Committee shall develop and make available a list of the official Street Tree species for Oxford, NC. No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Committee. The City Tree Committee may add to or delete species from this official list on an annual basis, or as circumstances dictate. If changes are made, the revised list shall be published in a manner such that the public shall be informed of the acceptable species.

[Go to the North Carolina Forest Service web site, <http://ncforestservice.gov/Urban/pdf/NCUrbanTreeList.pdf>, for the list of recommended species.]

Section 7. Spacing

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect.

Section 8. Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 9. Distance from Street Corners and Fire Hydrants

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted closer than 10 feet of any fire hydrant.

Section 10. Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 11. Public Tree Care

The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City Tree Committee may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. Nothing in this ordinance is intended to prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with the specifications of this ordinance.

Section 12. Tree Topping

It shall be unlawful as a normal practice for any person, firm, or city department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the City Tree Committee.

Section 13. Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of twelve feet (12") above the street surface except truck routes which shall be sixteen feet (16'), or eight feet (8') above the surface of the sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign.

Section 14. Dead or Diseased Tree Removal on Private Property

The City shall have the right to cause the removal of any dead or diseased trees on private property within the city when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City Tree Committee will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

Section 15. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 16. Interference with City Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the City Tree Committee, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees, Park Trees, or trees on private grounds, as authorized in this ordinance.

Section 17. Permits and Review Required

Permits shall be obtained from the public works director for all activity involving the planting, grading, removal and replacement of trees on city property except as noted herein. Permits are also hereby required for all removal and replacement of regulated trees and historic trees.

The public works director shall review all requests for permits for the planting, grading, removal and replacement of trees and shrubbery on city property and the removal and replacement of regulated and historic trees. If the planting, grading, removal or replacement complies with the guidelines, the public works director shall issue a permit and may attach reasonable conditions to the permit. If the plans do not comply with the guidelines, the permit shall be denied.

Section 18. Review by City Council

The City Council shall have the right to review the conduct, acts and decisions of the City Tree Committee. Any person may appeal from any ruling or order of the City Tree Committee to the City Council who may hear the matter and make final decision.

Section 19. Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$250.00.

Miscellaneous code items of interest

18-4 GROWTH OF WEEDS, GRASS AND THE LIKE.

It shall be unlawful for any person:

(A) To allow or permit any shrubbery, undergrowth, trees, weeds or any other form of plant growth to grow upon, protrude or project into or upon any sidewalk, street, alley or public square within the city; and

(B) To allow any shrubbery, undergrowth, trees, weeds or any other form of plant growth to stand upon any property, at or near any street intersection so that the same may obscure the view of pedestrians or persons traveling in vehicles at the street intersections.

18-5 TREE LIMBS OBSTRUCTING SIDEWALK.

No person shall permit the limbs from any trees growing upon the land of the person to grow or hang so as to obstruct or interfere with the free passage of persons along the sidewalk or street.

18-9 PLANTING CERTAIN TREES PROHIBITED.

It shall be unlawful to plant, set out or cause to be planted or set out, on any of the streets or sidewalks of the city or within 20 feet of the same, any elm, mulberry or otaheite tree.

('86 Code, § 18-9)

18-10 REGULATIONS FOR PLANTING SHRUBBERY.

It shall be unlawful for any person to plant vegetables in the parkways between the sidewalks and the curb lines or on any part of any street in the city, or to cultivate the soil in the parkways or any part of any street. The Board may, upon request, allow the sowing of peas in the parkways and the cultivation of same in preparation of the soil for the sowing of grass. This section shall not prohibit the sowing of grass or planting of shrubbery, trees or flowers for the purpose of beautifying the parkway's streets. No shrubbery shall be permitted to grow on a parkway in the corporate limits of the city within 50 feet from the end of the parkway.

Ordinance 16-05-01, Adopted 05-10-16, Effective 05-10-16

Amendment to City of Oxford, Code of Ordinances

ARTICLE V: BOARDS AND COMMISSIONS

DIVISION 1: COMMUNITY APPEARANCE COMMISSION

Sections §2-429 General Powers and Duties; § 2-431 Advisory Council Or Committees

§ 2-429 GENERAL POWERS AND DUTIES.

The Community Appearance Commission shall have the following powers and duties:

(A) To initiate, promote and assist in the implementation of programs of general community beautification in the city;

(B) To seek to coordinate the activities of individuals, agencies and organizations, public and private, whose plans, activities and programs bear upon the appearance of the city;

(C) To provide leadership and guidance in matters of area or community design and appearance to individuals, and to public and private organizations and agencies;

(D) To make studies of the visual characteristics and problems of the city, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion of neighborhood thereof, or any project to be undertaken;

(E) To make recommendations on certain special use permit applications in accordance with the procedures established in the zoning ordinance;

(F) To prepare both general and specific plans for the improved appearance of the city; (These plans may include the entire area or any part thereof and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the city or any part thereof within its area of planning and zoning jurisdiction, including public ways and areas, open spaces and public and private buildings and projects.)

(G) To request, from the proper officials of any public agency or body, including agencies of the state and its political subdivisions, its plans for public buildings, facilities or projects to be located within the planning and zoning jurisdiction of the city;

(H) To review these plans and to make recommendations regarding their aesthetic suitability to the appropriate agency or to the planning or governing board; (All plans shall be reviewed by the Commission in a prompt and expeditious manner and all recommendations of the Commission with regard to any public project shall be made in writing. Copies of the recommendation shall be transmitted promptly to the Planning Board and/or the Board of Commissioners and/or Board of Adjustment, as appropriate and to the appropriate agency.)

(I) To formulate and recommend to the Board of Commissioners the adoption of amendments of ordinances, including the zoning ordinance, subdivision regulations and other local ordinances regulating the use of property, that will, in the opinion of the Commission, serve to enhance the appearance of the city and its surrounding areas;

(J) To direct the attention of city officials to needed enforcement of any ordinance that may in any way affect the appearance of the city;

(K) To seek voluntary adherence to the standards and policies of its plans;

(L) To enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys;

(M) To promote public interest in and an understanding of its recommendations, studies and plans, and, to that end, to prepare, publish and distribute to the public studies and reports as will, in the opinion of the commission, advance the cause of improved municipal appearance; and

(N) To conduct public meetings and hearings, giving reasonable notice to the public thereof.

(O) To study, investigate, council and develop and /or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of Oxford.

(’86 Code, § 2-429) (Ord. 83-1-1, passed 1-11-83)

Statutory reference:

Powers and duties of community appearance commission, see G.S. § 160A-452

§ 2-431 ADVISORY COUNCIL OR COMMITTEES.

(A) The Community Appearance Commission may establish an advisory council when, in the judgement of the Commission, such a council will be an aid to the performance of its duties.

(B) (1) However, the Commission shall not delegate to the advisory council any of its official powers or duties.

(2) In addition, the Commission may, from its own membership, establish any temporary or permanent committees needed to assist it in the study of specific questions and problems.

(a) The Commission hereby establishes, from within its own membership, a City Tree Committee to oversee the City’s street trees and park trees. The City’s Tree Committee responsibilities are spelled out in the City’s Tree Ordinance that was approved and incorporated into the City’s Zoning Ordinance on May 10, 2016.

(’86 Code, § 2-431) (Ord. 83-1-1, passed 1-11-83)

Statutory reference:

Advisory councils, see G.S. § 160A-453

DEMOLITION ORDINANCE APPROVED
207A GRANVILLE STREET

Mayor Sergent presented a demolition ordinance as requested by the Planning Director for a structure located at 207A Granville Street, owned by Robert Taylor. This structure burned in December and the Planning Director has been working with the owner to have it removed since January because it is a hazard. The owner had shown interest in having the structure removed but has failed to do so. It has now been well over 90 days. This house cannot be repaired or rebuilt because it does not have street frontage.

COMMISSIONER WOODLIEF MADE A MOTION TO ADOPT A DEMOLITION ORDINANCE FOR THE STRUCTURE LOCATED AT 207A GRANVILLE STREET OWNED BY ROBERT TAYLOR. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

ORDINANCE 16-05-02; ADOPTED 05-10-16; EFFECTIVE: 05-10-16

**AN ORDINANCE DIRECTING THE HOUSING CODE OFFICER
TO DEMOLISH THE PROPERTY HEREIN DESCRIBED
AS UNFIT FOR HUMAN HABITATION
AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT
THE SAME MAY NOT BE OCCUPIED UNTIL DEMOLISHED**

WHEREAS, the Board of Commissioners of the City of Oxford finds that the property described herein is unfit for human habitation under the City Housing Code, and that all of the provisions of the Housing Code have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said structure should be demolished as directed by the Housing Code Officer and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the structure up to the standards of the Housing Code in accordance with G.S. 160A-443(5) pursuant to an order issued by the Housing Code Officer on February 8, 2016, and the owners having failed to comply with the order;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Oxford, that:

Section 1. The Housing Code Officer is hereby authorized and directed to place a sign containing the legend:

"This building is unfit for human habitation; the use of or occupancy of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **207A Granville Street**, Oxford, North Carolina; Owner(s): **Robert Taylor**, 2181 Joe Pruitt Rd., Oxford, North Carolina 27565.

Section 2. The Housing Code Officer is hereby authorized and directed to demolish the above-described structure in accordance with her order to the owner thereof dated the 8th Day of February , 2016, and with the Housing Code and G.S. 160A-443.

Section 3. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein described to be unfit for human habitation.

Section 4. This ordinance shall become effective upon its adoption.

KEARNY AVE. & MIMOSA ST. WATER LINE REPLACEMENT PROJECT CONTRACT
APPROVED - H.G. REYNOLDS

Commissioner Bullock, Chairman, Public Works Committee presented for consideration awarding the Kearny Avenue and Mimosa Street Water Line Replacement Project contract to low bidder, H.G. Reynolds Co., Inc. in the amount of \$181,365, and authorizing an addition \$18,136.00 (10%) for contingencies for a total of \$199,501.00. The Engineering Department held a formal bid for the Water Line Replacement Project but had insufficient bidders to open bids. An informal bid was then solicited which met all State requirements and three bids were

received and opened. The work consists of the construction of approximately 1900 linear feet of 6" water main and appurtenances. Bids were received in the Engineering Department on Thursday April 28, 2016. The low bid is in line with the engineers estimate and is deemed acceptable to the Engineering Department. The three bids ranged from \$181,365 to \$322,790. Funding for this item is included in the current budget. No budget amendment is needed.

COMMISSIONER BULLOCK MADE A MOTION TO AWARD THE CONTRACT FOR THE KEARNY AVE. & MIMOSA ST. WATER LINE REPLACEMENT PROJECT TO THE LOW BIDDER, H.G. REYNOLDS CO., INC. IN THE AMOUNT OF \$181,365 AND AUTHORIZE AN ADDITIONAL \$18,136.00 (10%) FOR CONTINGENCIES FOR A TOTAL OF \$199,501.00. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

RESOLUTION ADOPTED FOR GRANT ASSISTANCE FROM STATE FOR ASSET INVENTORY & ASSESSMENT (AIA) FOR WATER AND WASTEWATER

Commissioner Bullock, Chairman, Public Works Committee presented for adoption a resolution requesting two State grants for Asset Inventory and Assessment (AIA) for water and wastewater.

The Board of Commissioners has recognized the need for water and wastewater improvements within the City. The AIA's will develop an asset inventory, condition assessment of critical assets and other components for an asset management program. They will assist the City in identifying critical needs and prioritizing future projects for grant and loan applications. The State will work with the City to identify specifics for the project, if the City is selected for the grant. The City could be eligible for up to \$150,000 each for a total of \$300,000. The State requires a 10% match for the grant(s) or a City contribution of up to \$30,000. McGill Associates is working with the City of Oxford to make application for the two Asset Inventory and Assessment State grants for water and wastewater.

COMMISSIONER BULLOCK MADE A MOTION TO ADOPT A RESOLUTION REQUESTING TWO STATE GRANTS FOR ASSET INVENTORY AND ASSESSMENT (AIA) FOR WATER AND WASTEWATER. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

RESOLUTION BY THE BOARD OF COMMISSIONERS FOR THE CITY OF OXFORD

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (N.C.G.S 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of projects related to wastewater treatment works, wastewater collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other "green" project, and

WHEREAS, City of Oxford has need for and intends to develop asset inventories, condition assessment of critical assets, and other components of comprehensive asset management programs for water and for sewer systems, and

WHEREAS, City of Oxford intends to request state grant assistance for Asset Inventory and Assessment Grants for water and for sewer systems,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF OXFORD:

That Jacqueline vdH Sergent, Mayor, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the assessment projects described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such applications or the projects: to make the assurances as contained above; and to execute such other documents as may be required in connection with the applications.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the projects and to Federal and State grants pertaining thereto.

APRIL FINANCIAL HIGHLIGHTS BY INTERIM FINANCE DIRECTOR UNG

Interim Finance Director Ung presented and summarized the April financial report. He noted that the low expenditures for Capital projects in both the Water and All Other Funds is the result of unfinished capital water projects in both accounts. Mr. Ung will follow-up on a question about the ability to achieve the revenues budgeted for Real & Personal Property Income.

<u>APRIL 2016 Financial Report</u> <i>83.3 % of FY Complete</i>	<u>General Fund</u>	<u>Water Fund</u>	<u>Other Funds</u>
REVENUES			
YTD	\$ 8,043,043	\$ 6,385,377	\$ 1,916,393
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	84%	88%	34%
EXPENSES			
YTD	\$ 8,045,139	\$ 3,652,972	\$ 1,776,403
Budget	\$ 9,740,006	\$ 6,165,519	\$ 6,242,864
YTD Percent of Budget <i>(minus loan proceed, and fund balance allocation)</i>	83%	59%	28%
DIFFERENCE <i>(Revenues – Expenses)</i> 2015-16 YTD	\$ (2,096)	\$ 2,732,405	\$ 139,990

CONSENT AGENDA APPROVED

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

Accepted the April Financial Report by Interim Finance Director Hak Ung.

Approved the following 2016 meeting minutes:

- * April 4, Agenda Session
- * April 12, Regular Session
- * April 27, Special Session

CLOSED SESSION

AT THE END OF THE REGULAR SESSION, AT APPROXIMATELY 8:40 PM, AND ON A MOTION BY COMMISSIONER WOODLIEF, THE BOARD UNANIMOUSLY VOTED TO GO INTO CLOSED SESSION ACCORDING TO G.S. 143.318.11(A)(5) TO DISCUSS A PROPERTY MATTER.

RETURN TO OPEN SESSION

THERE BEING NO FURTHER DISCUSSION, ON MOTION BY COMMISSIONER WOODLIEF AT APPROXIMATELY 8:50 PM, THE BOARD UNANIMOUSLY VOTED TO RETURN TO OPEN SESSION.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 8:50 P.M., MPT HARRIS MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

Truly

Barbara J. Rote, CMC, NCCMC City Clerk

ATTEST:

Jacqueline vdH Sergent, Mayor