

**TUESDAY, AUGUST 11, 2015 – 7:00 P.M.**  
**REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS**  
**OXFORD CITY HALL – AUDITORIUM**

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 Jacqueline vdH Sergent, Mayor Pro Tem Howard Herring, Sr., Commissioners James (Danny) Currin, Robert B. Williford, Sr., Calvin (C.J.) Harris, Jr., Frank Strickland, S. Quon Bridges and Patricia Fields. Present also were City Attorney J. Thomas Burnette, City Manager Randy Hemann, and City Clerk Barbara J. Rote

**CALL TO ORDER**

Mayor Sergent called the meeting to order. Reverend David Haley, Oxford United Methodist Church, gave the prayer; the Pledge to the flag followed led by MPT Herring.

**AGENDA APPROVAL**

MPT HERRING MADE A MOTION TO APPROVE THE AGENDA WITH THE ADDITIONS 1) TO CONSIDER REPEALING OR AMENDING THE STREET NAMING POLICY OF AUGUST 14, 1979 TO ALLOW THE USE OF SURNAMES AND, 2) TO FORMALLY CONSIDER THE NAME CHANGE OF LINDEN AVE. TO MARTIN LUTHER KING, JR. AVE. ALL VOTES WERE IN THE AFFIRMATIVE, **THE MOTION CARRIED.**

**AUGUST YARD OF THE MONTH**  
**DWAIN STROUD AND TODD COMER 134 MILITARY STREET**

Mayor Sergent presented the August Yard of the Month Certificate along with several other City promotional items to Dwain Stroud and Todd Comer, 134 Military Street. The recipients will be eligible for a grand prize drawing in October.

**PUBLIC COMMENT**

Larry Thomas – 207 E Front Street – Attended last Finance Committee Meeting which talked about the vehicle take home policy. He did not agree with tabling the item until a new City Manager was hired because he thought a new manager should be able to come in with this policy adopted and be able to move forward. A new manager will have to start over with the policy. He also noted that tabling the policy leaves staff with uncertainty and having a resolution would be better for them.

Rev. Willie Darby, - Representing the Granville Co. Ministerial Alliance & NAACP – Asked the Board to move forward with building a new swimming pool and recreational complex. This request has been ongoing for many years.

**PUBLIC HEARING – RENAMING LINDEN AVE. TO MLK, JR. AVE.**

A public hearing was scheduled to receive input on changing the name of Linden Ave. to Martin Luther King, Jr. Ave. Martin Luther King Jr. Ave. is currently an honorary name for Linden Ave. from the I-85 Interchange to the intersection with Hillsboro St. If adopted, this would be an official name change for Linden Ave. All property owners affected by the change were notified by mail with a notice and three possible alternatives. Below is a copy of the notice.

Linden Ave. was part of a sub-division built and named by Robert Lassiter in the mid-1920's. The street was named for the American Linden trees that lined the street. There is at least one still standing and possibly more.

The City of Oxford invites you to attend a public hearing or submit comments in writing to voice your opinion on the possible renaming of Linden Avenue to Martin Luther King, Jr. Ave. Several years ago, large signs were erected on the section of HWY 96/Linden Ave. between I-85 and Hillsborough Street designating the honorary title as Martin Luther King, Jr. Ave. while the formal/legal title remained Linden Ave. Therefore, the smaller signs on each street corner remained as "Linden Ave."

The City is considering the following options:

- 1) **Formally Rename Linden Ave. as Martin Luther King Jr. Ave. and remove all reference to Linden Ave.** – In this option, all Linden Ave. signs would be replaced with new "Martin Luther King, Jr. Ave." signs as shown below. This option **would require those with Linden Avenue addresses to formally change their address.**



- 2) **Formally Rename Linden Ave. as Martin Luther King Jr. Ave. and continue to have a reference to "Historic Linden Ave." in smaller letters at the bottom of the sign** – In this option all Linden Ave. signs would be replaced with new signs naming "Martin Luther King, Jr. Ave." at the top (**white letters on green background**) and "Historic Linden Ave." at the bottom (**white letters on a brown background**) as shown below. This option **would require those with Linden Avenue addresses to formally change their address.**



- 3) **Retain the name Linden Ave. and have a reference to Martin Luther King Jr. Ave. in smaller letters at the bottom of the sign** – In this option all Linden Ave. signs would be replaced with new signs naming "Linden Avenue" at the top (white letters on green background) and "Martin Luther King, Jr. Ave." at the bottom (white letters on a brown background) as shown below. This option **would not require those with Linden Avenue addresses to formally change their address.**



The City will hold a **Public Hearing at 7:00 pm on Tuesday, August 11 in the third floor Commissioners Meeting Room** at 300 Williamsboro Street to receive input and ideas from those who would be affected by the change, as well as the general public. **Written comments will be accepted until Thursday, August 6** via email to [cbowen@oxfordnc.org](mailto:cbowen@oxfordnc.org) or by mail/hand delivery to Oxford City Hall at P.O. Box 1307, 300 Williamsboro St., Oxford NC 27565. In order to be considered, written comments should include the name, address and signature of the person submitting the comments.

Mayor Sergent opened the public hearing.

The following people spoke in favor of officially renaming the street from Linden Ave. to Martin Luther King Ave.

Willie Marrow – Business Owner of Bobo’s Men’s Wear 214 Linden Ave. – Supported name change. It would help the community and the town.

Walter McCloud, Pastor, St. Peter’s UMC, 222 Linden Avenue & Representing members of concerned citizens – Supported name change. It is a memorial of inclusiveness and an incentive and sense of identity.

Paulette Roberts – 226 Linden Ave – Supported name change even though she will have to change all of her information. She recognized Dr. Martin Luther King, Jr. and said if the street name were changed to anything else, she would be opposed.

Elijah Strater – 210 Alexander Ave – Supported name change. When he moved it wasn’t difficult to update his information. He said that when the street naming policy was originally adopted (1979) it was due to a request to change Railroad Street to Shaw Dr.

Rev. Tolokun Omokunde – 121 Halifax St., Pastor of Timothy Darling Presbyterian Church – Supported name change. He shared his experience meeting Dr. Martin Luther King, Jr. when he was 15 years old.

Rev. Willie Darby – President of Granville Co., NAACP – Supported name change. Option 1 (renaming the street without indication of historic Linden Ave.) was the only right option. The other options were only partially right. He also noted that when the Board previously adopted Martin Luther King, Jr. as honorary that it was only partially correct.

Juanita Rogers – 117 Orange St. – Supported name change. After careful observation, it was not a sound decision to attach the name of Dr. Martin Luther King, Jr. to Linden Avenue. It was only a way of appeasement at the time. It was very appropriate to name a major street after Dr. Martin Luther King, Jr.

Fran McKoy – 415 Linden Ave. – Supported name change. He did not have a problem changing his information. Renaming the street will bring the community together in a positive way.

Rev. Nathan Davis – Raleigh Rd. Baptist Church & representing Rev. Lacy Joyner – Supported name change. He moved from Connecticut and did not have a problem with changing his address.

Eddie McCoy – Kingsbury St. – Supported name change. He was at the meeting when Dr. Martin Luther King, Jr. was adopted as an honorary road and talked about a man who was opposed to officially changing the name. The man moved a couple of years later. He suggested if people living on Linden Ave. don't like the name change, then they should move.

Pastor George Green – 4021 Crestview Lane – Supported name change. He understood some of the inconveniences that would occur but noted that there is urgency for changing the name. People are looking for something from the City that shows the City is responding to them. Renaming the street will show that the City is responding to a long time request.

Margaret Darby – 505 Hancock St. – Supported name change. Residents on Linden Ave. are mostly African American; there are African American businesses and an African American church as well. She referred to the Confederate monument with a gun in the hands of the soldier and said that changing the street name would commemorate a non-violent action.

Linda Nicholson – Bullock, representing herself, not the Oxford Ledger - Supported name change. She wished it had been done previously and noted that Oxford is not progressive. She understood the imposition of the name change but people don't feel like they have a voice. She thought a small change like this would start the healing process.

The following people spoke in favor of keeping the Linden Ave name:

Sandy Woody – 301 Oxford Loop Road – Opposed to name change. She is the addressing coordinator for the County 911 Service and explained what was involved with changing a street name and noted that it is different than just moving. All phones (mobile & land), mortgage documents, SS & SSI information, and physical mailing address information has to be changed. County mapping software, 911 services and post office all need notified and updated. She reported that the change would affect 150 phone numbers with Linden Ave. addresses, including 25 businesses, 30 residents, and 1 church. She noted that the automotive dealerships would also be affected. She noted the time involved and the slow process of google maps and mapping software companies in changing E. McClanahan Street to Penn Avenue. She also mentioned that if adopted, she would be willing to help those affected.

Niebietta Grillo – 404 Linden Ave – Opposed to name change. The name change would remove the representation of a diverse community. She noted that in many communities, streets named with Martin Luther King Jr. are in bad areas and asked the Board to find another way to honor Dr. Martin Luther King, Jr.

Helen Yancey – 516 Linden Ave, Representing her 90-yr. old parents who live on Linden Ave. - Opposed to name change. Her parents live on Linden Ave. and it is part of their history. She noted the work amount of work involved in updating the address information for her parents.

John Tovey – 114 Saddletree Rd – Opposed to name change. He asked the Board to think about the time and expense involved in changing the name and said the residents of Linden Ave. would have a good argument to recoup costs from the City for their expenses. In the long run all the taxpayers end up paying for the name change.

Jane W. Pully – property owner of 506 Linden Ave. – Opposed to name change. She recognized Dr. Martin Luther King, Jr. but her 90-yr. old parents live on Linden Ave. and they love Linden Ave. She supported her sister, Helen Yancey's comments.

Gary Weaver – 221 Gilliam St. – Opposed to name change. He didn't see the community changing because of a street name change. He suggested taking the Martin Luther King, Jr. holiday as an opportunity to celebrate and work together as a community.

Patricia Jackson – 920 Raleigh Street – Opposed to name change. She moved back into the area and only recently became aware of the past problems with changing the name. She asked if we should be fighting over a street name and noted that if Dr. Martin Luther King, Jr. were here what would he think? Would he think that naming the street is important? She suggested that he would be more concerned about the people cleaning the streets than the name of the street. She felt there were other ways to show respect, such as naming a school.

No one else from the public wished to speak.

Mayor Sergent closed the public hearing.

During the public hearing, in addition to supporting or not supporting the name change, many of the speakers included in their comments the legacy and the important significance Dr. Martin Luther King, Jr. had on our history and how he affected the lives of so many people.

In addition to verbal comments, written comments were submitted by the following with a summary of the option chosen:

Shearin's Tire Service, Business Owner, Linden Ave. – Option 3

Kathy May, property owner of 507 Linden Ave. – Option 3

Dennis Kubek, 426 Linden Ave. – Option 3

Susan Woody, 4584 Fairport Rd. – Opposed to formally changing street name.

Dorothy Wilkinson, 204 Hillcrest Dr. – Opposed to formally changing street name.

Juanita Cozart, 209 Prospect Ave. – Not against name change, would prefer Oxford Outer Loop from Revlon to Hwy 15 with possible future option to name walking bridge MLK Bridge.

Gray Yancey, 111 E. Spring St. and property owner on Linden Ave. – Opposed to formally changing street name.

Betty Moseley, 100 Spruce Dr. – Supported formally changing street name.

Franthia Darby McKoy, Oxford resident – Submitted two petitions for formally changing the street name. Both petitions (68 names and 15 names) contained names and Oxford addresses.

Brenda Yancey, 7512 Shep Royster Rd. – Supported formally changing street name.

Commissioner Williford commented that he would like to see a monument placed at the corner of Spring and Linden Ave. to honor Dr. Martin Luther King, Jr. and suggested following what the Veteran's did with selling bricks to raise money. He thought this was a better way to pay homage to Dr. King instead of changing the street name.

**INITIAL MOTION TO AMEND 1979 STREET NAME CHANGE POLICY TO USE SURNAMES**

The Mayor presented for consideration repealing or amending the Street Name Change Policy of August 21, 1979 to allow the use of surnames.

The policy adopted in 1979 does not allow the use of surnames for the purpose of renaming streets. Amending the Policy would follow procedure for the possibility of renaming Linden Ave. to Martin Luther King, Jr. Avenue

MPT HERRING MADE A MOTION TO AMEND THE AUGUST 21, 1979 STREET NAME CHANGE POLICY TO INCLUDE THE USE OF SURNAMES.

Commissioner Strickland and Commissioner Currin were concerned that the motion was too broad and that it would open the door for changing every street name after someone.

**SUBSTITUTE MOTION ADOPTED**  
**AMEND 1979 STREET NAME CHANGE POLICY TO INCLUDE THE USE OF SURNAMES**  
**FOLLOWING BOARD REVIEW ON INDIVIDUAL BASIS**

COMMISSIONER STRICKLAND MADE A SUBSTITUTE MOTION TO AMEND THE STREET NAME CHANGE POLICY OF AUGUST 21, 1979 TO ALLOW THE USE OF SURNAMES FOLLOWING BOARD REVIEW AND ON AN INDIVIDUAL BASIS. COMMISSIONERS WILLIFORD, CURRIN, HARRIS, STRICKLAND, BRIDGES AND FIELDS VOTED IN THE AFFIRMATIVE. MPT HERRING VOTED IN THE NEGATIVE. **THE MOTION CARRIED 6-1.**

It was noted that the policy already contained a requirement to hold a public hearing prior to the name change.

**APPROVED USE OF AMENDED STREET NAME CHANGE POLICY FOR RENAMING LINDEN**  
**AVE**

COMMISSIONER WILLIFORD MADE A MOTION TO CONSIDER THE AMENDED AUGUST 21, 1979 STREET NAME CHANGE POLICY FOR RENAMING LINDEN AVENUE. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**LINDEN AVENUE FORMALLY CHANGED TO MARTIN LUTHER KING, JR. AVE.**

The Mayor presented for consideration action on the options for renaming Linden Avenue following the public hearing input.

The following Options were mentioned in the notice of public hearing:

1. Formally Rename Linden Ave. as Martin Luther King Jr. Ave. and remove all reference to Linden Ave.

2. Formally Rename Linden Ave. as Martin Luther King Jr. Ave. and continue to have a reference to “Historic Linden Ave.” in smaller letters at the bottom of the sign.
3. Retain the name Linden Ave. and have a reference to Martin Luther King Jr. Ave. in smaller letters at the bottom of the sign.

Board Comments on the options:

MPT Herring – supported option 1 and made the motion stated below.

Commissioner Strickland – planned to support option 3 but based on public comment, decided to support MPT Herring. He understood that Dr. Martin Luther King, Jr. was a great leader and the significance of his leadership, as well as the significance of the name change. He wondered what would happen if he were to make a substitute motion to name the street after the greatest man who walked the earth, Jesus of Nazareth. He talked about the vandalism and discussions around the country regarding the Confederate Monuments and asked people to be tolerant of those who support the confederate monument because it holds significance to those for whom it represents.

Commissioner Currin – planned to support option 3 but based on public comment, decided to support MPT Herring.

Commissioner Bridges – supported option 1 and explained that he worked hard when the honorary designation was passed. He did not take lightly the comments made by residents on the street. He noted that without struggle there would be no progress.

Commissioner Fields - supported option 1 and noted change may ruffle feathers but people should all be able to adapt. She recognized the inconvenience of the street name change but noted with computers and technology, it should not be as hard.

Commissioner Williford – supported option 3 and a memorial in honor of Dr. Martin Luther King, Jr.

Commissioner Harris - supported MPT Herring’s motion and liked Commissioner Williford’ s memorial suggestion. He felt that the name change was a big stepping stone.

Mayor Sergent – supported option 2 and did not think that the Historic Linden Ave. on the bottom would detract from the sign. It included all of the feeling that were voiced and continues to represent those who wanted the name change.

MPT HERRING MADE A MOTION TO FORMALLY CHANGE THE NAME OF LINDEN AVE. TO MARTIN LUTHER KING, JR. AVE. (OPTION 1). COMMISSIONERS CURRIN, HERRING, HARRIS, STRICKLAND, BRIDGES AND FIELDS VOTED IN THE AFFIRMATIVE. COMMISSIONERS WILLIFORD VOTED IN THE NEGATIVE. **THE MOTION CARRIED 6-1.**

**ANNEXATION CERTIFICATE OF SUFFICIENCY ACCEPTED**  
**1.0 AC OXFORD CHARTER HOLDINGS (OXFORD PREP.)**

Mayor Sergent presented for consideration the Certificate of Sufficiency for Petition of Voluntary, Non-Contiguous Annexation of 1.0 Acres of land on Landis Road owned by Oxford Charter Holdings, LLC.

Oxford Charter Holdings, LLC petitioned the City to annex 1.0 acres of land located on Landis Road. The annexation request was required to receive City services for the additional acre needed to develop Oxford Preparatory School. This is the next step in the process as the City considers annexing the property.

COMMISSIONER CURRIN MADE A MOTION TO ACCEPT THE CERTIFICATE OF SUFFICIENCY FOR PETITION OF VOLUNTARY, NON-CONTIGUOUS ANNEXATION OF 1.0 ACRES OF LAND OWNED BY OXFORD CHARTER HOLDINGS. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CERTIFICATE OF SUFFICIENCY**  
**OXFORD CHARTER HOLDINGS, LLC**

To the Board of Commissioners of the City of Oxford, North Carolina:

I, Barbara J. Rote, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Oxford, this 11<sup>th</sup> day of August, 2015.

**ANNEXATION PUBLIC HEARING SEPTEMBER 8, 2015**  
**1.0 AC OXFORD CHARTER HOLDINGS (OXFORD PREP.)**

Mayor Sergent presented for consideration calling for an annexation public hearing in conjunction with the September 8, 2015 Regular Session for 1.0 acres of land on Landis Road owned by Oxford Charter Holdings, LLC.

Once the Certificate of Sufficiency is received for voluntary, non-contiguous annexation of 1.0 acres of property owned by Oxford Charter Holdings, 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.

COMMISSIONER FIELDS MADE A MOTION TO CALL FOR PUBLIC HEARING IN CONJUNCTION WITH THE SEPTEMBER 8, 2015 REGULAR SESSION FOR 1.0 ACRES OF LAND ON LANDIS ROAD OWNED BY OXFORD CHARTER HOLDINGS, LLC. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO**  
**G.S. 160A-58.2**  
**OXFORD CHARTER HOLDINGS, LLC**

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Board of Commissioners has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Oxford, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held in the Commissioners' Board Room, 3<sup>rd</sup> Floor, City Hall, 300 Williamsboro Street at 7:00 P.M. on Tuesday, September 8, 2015.

Section 2. The area proposed for annexation is described as follows:

**1.0 Acres, Oxford Preparatory High School  
6041 Landis Road, Oxford, North Carolina, 27565**

**Being and consisting of that certain 1.00 acre parcel running along and with the South boundary line of that property heretofore conveyed to Oxford Charter Holdings (DB 1473, P 411; Plat book 42, P 11) and being more particularly described as follows:**

**Commencing at an iron pin set in the Eastern corner of the previously conveyed tract in the Southwestern margin of Landis Road (SR 1523) and preceding thence South 42° 25' 47" East 80.45 feet to an iron pin set; thence with the new line of Hunt South 44° 32' 53" West 539.63 feet to an iron pin set being the Southern corner, thence North 45° 27' 07" West 80.34 feet to an existing iron pin; thence North 44° 32' 53" East 543.87 feet to the point and place of the beginning as shown on that certain Recombination Survey for Oxford Charter Holdings, LLC recorded in Plat Book 43 Page 169, Granville County Registry.**

Section 3. Notice of the public hearing shall be published once in the Oxford Public Ledger, a newspaper having general circulation in the City of Oxford, NC, at least ten (10 days prior to the date of the public hearing.

Adopted this eleventh day of August, 2015

**CLERK DIRECTED TO INVESTIGATE SUFFICIENCY FOR  
CONTIGUOUS ANNEXATION 7.417 AC, B&B PROPERTIES**

Mayor Sergent presented for consideration directing the City Clerk by resolution to investigate the sufficiency of the petition for Annexation request by B&B Properties.

B&B Properties has petitioned the City to annex 7.417 acres of land adjacent to Boyd Honda and Ford dealerships along I-85 in order to renovate and expand the dealerships. The petition for annexation is necessary for receiving City services.

City Attorney Burnette noted that there were no vested rights as indicated on the petition. He would contact B&B Properties.

COMMISSIONER BRIDGES MADE A MOTION TO DIRECT THE CITY CLERK BY RESOLUTION TO INVESTIGATE THE SUFFICIENCY OF THE PETITION, EXCLUDING THE VESTED RIGHTS STATEMENT, FOR ANNEXATION BY B&B PROPERTIES. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-31**  
**FOR CONTIGUOUS ANNEXATION BY**  
**B&B PROPERTIES (BOYD AUTOMOTIVE)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on July 15, 2015 by the City of Oxford Board of Commissioners; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the City of Oxford deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Board of Commissioners of the City of Oxford that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City of Oxford the result of her investigation.

**MARCH 11, 2014 PERSONNEL POLICY AMENDMENTS ADOPTED**

Mayor Sergent presented for consideration amendments to the March 11, 2014 City of Oxford Personnel Policy. The Personnel Committee met on August 5th and discussed changes to the personnel policy as recommended by HR Director Ayscue for the following sections:

**Article VII, Section 12, Sick Leave, ARTICLE VII, Section 16, Bereavement Leave** - Narrowing the definition of "Immediate Family" for Bereavement Leave and Sick Leave. For Bereavement Leave only allowing 3 days for immediate family vs. 3 days for immediate family and 1 day for more distant relatives. Allowing the use of sick leave for bereavement instead of only allowing vacation or comp. time.

**Appendix A, Substance Abuse and Testing Policy.** Revising the policy to bring it into compliance for a NC Municipality.

**Article III, Section 12- On Call Policy**

**Article II, Section 13-Call Back Pay Policy**

Following some discussion on the On Call Policy and Call Back Pay Policy, they were tabled for further discussion.

COMMISSIONER BRIDGES MADE A MOTION TO AMEND THE MARCH 11, 2014, PERSONNEL POLICY FOR ARTICLE VII, SECTION 12, ARTICLE VII, SECTION 16 AND APPENDIX A AS PRESENTED AND INCORPORATE THE CHANGES EFFECTIVE UPON ADOPTION. ARTICLE III, SECTION 12 AND ARTICLE 22, SECTION 13 WERE TABLED. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**Appendix A, Substance Abuse and Testing Policy.** New Appendix A incorporated by reference including Consent Form.

## **ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE**

### **Section 12. Sick Leave**

"Immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent or grandchild. This also includes various combinations of step, half, and adopted relationships.

### **Section 16. Bereavement Leave**

An employee may use up to three (3) continuous workdays with pay for death in the employee's immediate family. "Immediate Family" is defined as spouse, child, parent brother, sister grandparent or grandchild. This also includes various combinations of step, half and adopted relationships. Such paid leave may not exceed three days for any one occurrence. Additional leave time required for such occurrence may be charged to *sick leave* when approved by the department head and/or City Manager. Employees may attend funerals of non-family members or more remote family members by using vacation or compensatory time upon approval by the department head. The City may request documentation for this leave whenever there is a pattern of absenteeism demonstrated by the employee or for other reasons as needed.

### **PROPERTY CONVEYANCE PUBLIC HEARING SEPTEMBER 8, 2015** **PRIVATE SALE 1.4 AC TO KEITH CORPORATION (FOR DUKE HEALTH CARE)**

City Manager Hemann presented for consideration calling for a public hearing in conjunction with the September 8, 2015 Regular Session according to G.S. 158-7.1, to convey 1.4 acres of City Property located at 148 Williamsboro Street by private negotiated sale to Keith Corporation for the purpose of constructing a 13,000-15,000 sq. ft. Doctor's Office/Urgent Care Facility for Duke Health Care. Duke prefers to have a build to suit contractor build and lease the facility to them. Having the project owned by the Keith Corp. makes the property taxable. A public notice of the hearing will be posted no less than 10 days prior to the public hearing date. 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 City can plan and convey property by private negotiation under this statute so long as the conveyance is approved by the governing board(s), is subject to a properly noticed public hearing and conveyed at fair market value, which is \$140,000 for this tract. A conveyance under State Statute 158-7.1 also allows the governing body to include covenants, conditions and restrictions (performance measures for development, job creation, etc.). It also offers the ability for the City to have performance requirements for the developer and allows an opportunity for the City to get the property back if the developer does not perform.

The City of Oxford purchased 15.5 acres across from Revlon at 1490 Williamsboro Rd. for use as a stormwater control project. After removing what land is needed for the stormwater project, two parcels, a 1.4 acre parcel across the street from the main entrance to Revlon and a 4.5 acre parcel on the grassy knoll in front of Dill Air Control will be available for development.

Process:

Using State Statute 158.7.1 to encourage the development of the Williamsboro property will require the following:

1. Designate 1.4 acre parcel at 1490 Williamsboro St. as available for development under State Statute 158.7.1 (by Resolution)
2. Sale at appraised value (\$140,000 for 1.4 acres).
3. A development agreement which includes the following:
  - a. Minimum Building Size: 13,000 sf
  - b. Minimum Investment \$3 million
  - c. Minimum Employment at opening - 29 (including any unfilled and/or advertised positions)
  - d. Employment by 2020 – 36 (including any unfilled and/or advertised positions)
  - e. Construction to begin no later than October 2016
  - f. Construction to be completed no later than January 2018
  - g. 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
  - h. The City will have the ability to buy the land back if for some reason the building is not constructed by January 2018.

Once the Public Hearing is held the City may, by resolution, authorize the sale of real property for economic development to the Keith Corporation.

COMMISSIONER CURRIN MADE A MOTION TO CALL FOR A PUBLIC HEARING IN CONJUNCTION WITH THE SEPTEMBER 8, 2015 REGULAR SESSION ACCORDING TO G.S. 158-7.1, TO CONVEY 1.4 ACRES OF CITY PROPERTY LOCATED AT 148 WILLIAMSBO RO STREET BY PRIVATE NEGOTIATED SALE TO KEITH CORPORATION FOR THE PURPOSE OF CONSTRUCTING A DOCTOR'S OFFICE/URGENT CARE FACILITY. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

### **NO FINANCE REPORT**

Due to staffing changes and year-end adjustments for the FY 2014-15, Finance Director Kehoe will present the July Finance Report during the August 31, 2015 Agenda Meeting.

### **CONSENT AGENDA APPROVED**

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

- Approved tax release to Norwood Plumbing Inc., in the amount of \$1,629.37 for a 2014 machinery and equipment billing error.
- Approved the following 2015 meeting minutes:
  - \* July 6, Agenda Session
  - \* July 8, Special Session
  - \* July 14, Regular Session

### **ADJOURNMENT**

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

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Barbara J. Rote, City Clerk

ATTEST:

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Jacqueline vdH Sergent, Mayor