

**TUESDAY, FEBRUARY 11, 2020 – 7:00 P.M.**  
**REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS**  
**OXFORD CITY HALL – COMMISSIONERS’ BOARD ROOM**

The Board of Commissioners for the City of Oxford met at the above-mentioned time and place. All members of the Board and local news media were notified of the same as well as the purpose of the meeting.

Present: Mayor Jackie Sergent, MPT Calvin (C.J.) Harris, Jr., Commissioners James (Danny) Currin, S Quon Bridges, Ron Bullock, Patricia Fields, Teresa Gilreath, and John Tovey. Also present were City Manager M. Alan Thornton, City Attorney J. Thomas Burnette, and City Clerk Cynthia Bowen.

**CALL TO ORDER**

Mayor Sergent called the meeting to order at approximately 7:00 P.M.

Reverend Glenn Stallsmith of Salem United Methodist Church gave the prayer, the Pledge to the flag followed, led by Commissioner Mayor Pro Tem, Calvin C.J. Harris Jr.

**ADJUSTMENTS TO AND APPROVAL OF THE AGENDA**

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING ADDITION: ADD THE PUD PRESENTATION. 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.

**DELEGATIONS**

None

**PUBLIC COMMENT**

**Larry Thomas, 207 E. Front Street** – Mr. Thomas spoke regarding several agenda items. On item 13, he asked why the change order 2 for Phoenix Fabricators was not in the original contract. On item 14, Mr. Thomas inquired why the task order for 10,000 was not in the original budget. When is Front Street going to be patched, and when is the new water tank going to be filled?

- Commissioner Bridges asked how you can tell the water tank is not filled. There is a “dot” on the side of the tank that rises and falls depending on the amount of water in the tank. Per City Engineer Ratliff, the tank has been filled several times, but the City is keeping it low due to work being done on the SCADA system.

**Baba Kerr, 7089 Bayberry Drive** – Mr. Kerr presented the Board with a letter requesting a donation from the City to aid in the funding a summer camp for the children of Granville Street.

**Robyn Dehart, 108 Park Drive** – Ms. Dehart wanted to thank the Mayor, the Board, and Police Department for hearing the citizens’ concerns regarding the crime in Oxford and for taking steps to ensure the safety of Oxford citizens.

## **PUBLIC HEARING**

### **JOINT PUBLIC HEARING WITH THE PLANNING BOARD TO HEAR CITIZEN INPUT REGARDING APPROVAL FOR A 58 +/- PLANNED UNIT DEVELOPMENT ON LEWIS STREET.**

Mayor Sergent opened the public hearing.

Chad Abbott of C3 Design & Engineering gave the Board a power-point presentation update on the PUD (Planned Unit Development). The Planned unit development will include approximately 7,300 linear feet of new streets, commercial, multifamily, townhomes, and single-family construction. There will be a left turn lane into the development.

Douglas S. Muhle of Shield Development LLC was also there to answer questions. Commissioner Tovey asked what kind of businesses were they anticipating. Mr. Muhle said that they have restaurants, daycare, retail, and others interested. Attorney Burnette asked would this be a joint venture between Shield Development and Little River Partners. Mr. Muhle responded that Little River has the townhouses and apartments, and Mr. Muhle would be doing the residential, and he will assemble a builder group for the commercial. Would ownership be the same in two years as it is now, Mr. Muhle stated that individuals could own houses and retail. Attorney Burnette asked if there was an LLC set-up for the opportunity zone property, Mr. Muhle responded, the opportunity zone is the Townhouses, and that is Little River. Attorney Burnette also wanted to know if the entire development would eventually be under one LLC. Mr. Muhle stated that the townhouses and apartments would either be sold separately or to one management group. The single-family dwellings would be individually owned at some point.

Parking and sidewalks will be privately managed.

No planning board members present had any questions.

Dan Winslow of Tommie Daniel Road would like to see sufficient lighting. Mr. Abbott stated that public walkways would have lighting.

Mayor Sergent closed the public hearing.

### **APPROVED THE PUD (PLANNED UNIT DEVELOPMENT) WITH CONDITIONS FOR THE 58 +/- ACRE PROJECT LOCATED OFF OF LEWIS STREET AND ADJACENT TO THE SOLAR FARM.**

No further discussion.

COMMISSIONER TOVEY MADE A MOTION TO APPROVE THE PLANNED UNIT DEVELOPMENT (PUD) WITH CONDITIONS. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

Attorney Tom Burnette, in order for this PUD to be approved, the Board has to have a finding of fact that this PUD is consistent with the PUD ordinance. Mayor Sergent asked Cheryl Hart to come forward and speak to that. Planning Director Hart stated that this PUD is consistent with the current PUD Zoning Ordinance. City Manager suggested the original motion be amended. Commissioner Tovey approved changing his original motion.

Amended Motion was revised to read, "TO APPROVE THE PLANNED UNIT DEVELOPMENT (PUD) WITH CONDITIONS. AND THAT THE BOARD HAS A FINDING OF FACT THAT THE CONCEPT PLANS BEFORE THE BOARD TONIGHT ARE CONSISTANT WITH THE PUD PLANNING ORDINANCE ADOPTED BY THE CITY IN 2009. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

### **THE SUFFICIENCY OF THE PETITION FOR NON-CONTIGUOUS ANNEXATION ACCEPTED AND A PUBLIC HEARING WILL BE HELD AT THE MARCH 10<sup>TH</sup> REGULAR BOARD MEETING.**

No discussion.

COMMISSIONER BRIDGES MADE A MOTION TO ACCEPT THE PETITION FOR NON-CONTIGUOUS ANNEXATION BY THE OXFORD PREPARATORY SCHOOL AND CALL FOR A PUBLIC HEARING TO BE HELD AT THE REGULAR BOARD MEETING ON MARCH 10<sup>TH</sup>. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**FUNDS ACCEPTED (\$12,000) PROVIDED TO THE CITY OF OXFORD BY DOWNTOWN OXFORD ECONOMIC DEVELOPMENT CORPORATION TO OFF-SET THE COST OF PART-TIME EVENT COORDINATOR POSITION.**

Commissioner Bridges questioned the total cost of the position. City Manager Thornton explained that this is a new position, but as of right now, this will cover the cost.

COMMISSIONER CURRIN MADE A MOTION TO ACCEPT THE \$12,000 FROM THE DOEDC. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**GOVERNMENTAL ATTACHMENT AGREEMENT WITH DUKE ENERGY PROGRESS APPROVED.**

City Manager Thornton explained to the Board the 2006 agreement was never signed and sent from Duke Energy Progress, and the goal here is to firm up the contract before we start putting banners on poles.

COMMISSIONER FIELDS MADE A MOTION TO APPROVE THE AGREEMENT WITH DUKE ENERGY PROGRESS. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**APPROVED A LETTER OF SUPPORT FOR THE OXFORD HPC TO APPLY FOR A GRANT FOR THE COMPLETION OF THE NATIONAL REGISTER UPDATE.**

When applying for the grant, a letter of commitment from the City is required with the application. The matching funds for the grant application will be approximately \$6,300.

Commissioner Gilreath questioned the \$6,300. Planning Director Hart explained that the \$6,300 is the City's 40% if the HPC is awarded the grant.

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE LETTER OF SUPPORT WITH THE CITY COMMITTING TO THE MATCHING FUNDS OF \$6,300. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**PUBLIC HEARING TO BE HELD AT THE MARCH 10TH MEETING FOR A REVISION TO THE SUBDIVISION ORDINANCE REGARDING THE INSTALLATION OF SIDEWALKS AND CURBING UNDER SECTION 71.2 (A)**

No Discussion

COMMISSIONER FIELDS MADE A MOTION TO APPROVE THE AGREEMENT WITH DUKE PROGRESS ENERGY. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**DAVID QUINN APPOINTED TO THE HISTORIC PRESERVATION COMMISSION.**

No Discussion

COMMISSIONER CURRIN MADE A MOTION TO APPOINT DAVID QUINN TO THE HPC. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**MICHAEL DELIONBACH APPOINTED TO THE HISTORIC PRESERVATION COMMISSION.**

No Discussion

COMMISSIONER TOVEY MADE A MOTION TO APPOINT MICHAEL DELIONBACH TO THE HPC. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**APPROVED CHANGE ORDER #2 FOR PHOENIX FABRICATORS & ERECTORS, LLC, FOR THE WATER TANK AND ASSOCIATE WATER MAINS PROJECT.**

Currently, the contractor is being charged Liquidated Damages due to not finishing the project on time, and the change order amount will be deducted from the liquidated damages. It will not require any additional cash outlay by the City.

City Manager Thornton explained the importance of the SCADA system and Phoenix as not been able to complete the job in a timely matter. Commissioner Currin asked how much the damages were. City Engineer Ratliff explained that the losses totaled \$250,000. MPT Harris asked if the work is completed. Ratliff explained that the tank is complete and operational, but the SCADA system is not.

Commissioner Gilreath asked if there were policies in place so that items such as this do not have to come back to the Board. City Manager Thornton stated all change orders go back to the Board for approval. Because there is a change to the original contract, therefore the Board must be made aware and given the opportunity to approve it.

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE CHANGE ORDER #2 FOR PHOENIX FABRICATORS & ERECTORS, LLC, FOR \$34,917.08 FOR THE WATER TANK AND ASSOCIATE WATER MAINS PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CITY MANAGER AUTHORIZED TO SIGN THE TASK ORDER FOR INFRASTRUCTURE DESIGN ASSISTANCE.**

This task order will allow the City to get immediate engineering assistance on infrastructure issues that cannot be handled in house due to the small size of the Engineering Department, not having modeling software, needing specialized engineering expertise, etc. This task order is not tied to any specific project. Commissioner Gilreath asked if this is something the City will continuously have to maintain a 10,000 balance. City Manager Thornton stated that if the money were used, then we would come back to the Board and ask for more.

COMMISSIONER BRIDGES MADE A MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN THE TASK ORDER FOR INFRASTRUCTURE DESIGN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CITY MANAGER AUTHORIZED TO SIGN THE CONTRACT WITH TRIMAT FOR THE 2017 USDA WATER & SEWER PROJECT CONSTRUCTION TESTING.**

No Discussion.

COMMISSIONER BRIDGES MADE A MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN THE CONTRACT WITH TRIMAT. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**AUTHORIZED SUBMITTAL OF AN APPLICATION TO USDA FOR A GRANT/LOAN FOR CONTRACT 2 ENGINEERING, CONSTRUCTION, AND ADMINISTRATIVE EXPENSES AND THAT THE CITY MANAGER AND/OR MAYOR, AS NEEDED, BE AUTHORIZED TO SIGN ALL LOAN APPLICATION DOCUMENTS.**

**APPROVED THE PROPOSED BUDGET FOR SUBMITTAL IN THE APPLICATION.**

**AUTHORIZED THE CITY MANAGER TO EXECUTE ENGINEERING AGREEMENTS FOR CONTRACT 1 AND CONTRACT 2 WITH THE WOOTEN COMPANY NOT TO EXCEED THE AMOUNT OF \$1,118,370 FOR DESIGN AND CONSTRUCTION SERVICES OF BOTH CONTRACTS.**

No discussion, other than the City Manager thanking the Board for sticking with the staff, knowing that this process has gotten complicated.

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE ALL THREE OF THESE ITEMS. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CITY MANAGER AUTHORIZED TO EXECUTE CHANGE ORDER #1 FOR H.G. REYNOLDS COMPANY, INC. FOR THE 2017 USDA WATER AND SEWER IMPROVEMENTS PROJECT.**

No discussion.

COMMISSIONER BULLOCK MADE A MOTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 FOR H.G. REYNOLDS FOR THE 2017 USDA WATER & SEWER IMPROVEMENTS PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CITY MANAGER AUTHORIZED TO SIGN A TASK ORDER FOR SEWER SYSTEM MODELING.**

No discussion.

COMMISSIONER BULLOCK MADE A MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN THE TASK ORDER FOR THE SEWER SYSTEM MODELING. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**CONSENT AGENDA APPROVED**

Approved the January 2020 Financial report.

Approved the following meeting minutes:

- \*January 6 - Agenda Session
- \*January 14 - Regular Session

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

**BOARD COMMENTS**

**Commissioner Tovey** – thanked City Engineer Ratliff

**Commissioner Bridges** – supports things that are done in the community and asked the Manager to provide some ideas for projects that serve a purpose that the City can support.

**Commissioner Fields** – enjoyed the tour of the water plant and would love to see school children take a field trip there to learn where their home get their water.

**City Manager** – Congratulated Revlon – Governor Cooper gave them the award for exportation.

WITH THERE BEING NO FURTHER BUSINESS, MAYOR PRO TEM HARRIS MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

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Cynthia Bowen, City Clerk

ATTEST:

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Jacqueline vdH Sergent, Mayor