

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
September 6, 2005
6:30 P.M.**

NOTE: The official minutes are a CD recording of the meeting. The following is a summary of the events of the meeting.

The meeting was called to order by Mayor Dena Barnes at 6:31pm.

The invocation was led by Linda Southard and Council led the Pledge of Allegiance.

INTRODUCTIONS:

Dena Barnes, Mayor	Bill Bruce, Town Planner
Bob Williams, Pro tem	Bill Trevorrow, Town Attorney
Carolyn Collins	Dianne Laughlin, Town Clerk
Mark Brown	
Jane Doggett	
Michael Stewart	

Town Administrator, Michael Brandt, had notified Council he would not be present at tonight's meeting.

CONSENT AGENDA:

- A. MEETING AGENDA**
- B. APPROVE MINUTES OF AUGUST 6, 2005**
- C. FINANCIAL REPORT**
- D. RESOLUTION TO ADD SNOW HILL DRIVE; LAKE HENSON DRIVE, HENSON FARMS ROAD, HARRIET COURT, SARA LAMAR DRIVE, MARY HALL COURT AND FRANCIS MARIE COURT TO THE STATE MAINTENANCE SYSTEM.**

Bill Bruce reported that the New Business item, Rezoning Case #5-05 has been withdrawn at the request of the owner. He reported that the owner has decided to go with the present RS-40 (Residential, minimum 40,000 square foot lots) zoning instead of requesting OSRD zoning. He reported the Zoning Board had recommended 4 to 1 to deny the request. He asked Council to vote on the request because some people may be present for that hearing.

After some discussion, a motion was made by Jane Doggett to accept the withdrawal request. The motion was seconded by Bob Williams and carried unanimously.

Barnes asked that a Closed Session be added to the agenda to discuss the Finance Officer position. She reported the previously approved applicant; Kathryn Johnston will not be able to accept the position due to personal circumstances.

A motion was made by Jane Doggett to accept the Consent Agenda as revised; including the approval of the Minutes of the August 6, 2005 Town Council meeting; the monthly Financial Report, and a resolution to add Snow Hill drive, Lake Henson Drive, Henson Farms Road, Harriett Court, Sara Lamar Drive, Mary Hall Court and Francis Marie Court to the State Maintenance System.

The motion was seconded by Carolyn Collins and carried unanimously.

ANNOUNCEMENTS: Barnes announced the flag at Town Hall is being flown at half-staff in memory of Supreme Court Justice Rehnquist and the Hurricane Katrina victims; and would remain at half-staff through September 20th.

PROCLAMATIONS:

A. Proclamation for Patriot Day: Barnes read the proclamation in honor of Patriot's Day. The Proclamation is hereby incorporated by reference and made a part of these minutes:

Proclamation

Whereas, four years ago on September 11, 2001, our country was ruthlessly attacked by terrorists and more than 3,000 innocent people lost their lives and our troops are presently on foreign soil continuing to fight for the freedom of this nation and the world; and

Whereas, we will always remember the victims, will always be inspired by the heroism and decency of our fellow citizens on that day; and

Whereas, Police, Firefighters, Emergency Rescue Personnel, Doctors, Nurses, and many others risked their lives to save their fellow citizens; demonstrating the great character and bravery of our nation and embodying the spirit of America; and

Whereas, as a people dedicated to the triumph of freedom and democracy over evil and tyranny, Americans have fought back against terrorism by choosing to overcome evil with good by answering the call to help others, contributing to relief efforts; improved homeland security in their communities and volunteered time to aid those in need; and

Whereas, as we mark the anniversary of that tragic day; we remember their sacrifices to our Nation and honor their memory by pursuing peace and justice in the world and at home.

NOW, THEREFORE, I, DENA BARNES, Mayor of the Town of Summerfield, do hereby proclaim September 11, 2005 as Patriot Day and call upon citizens of Summerfield to observe Patriot Day with appropriate ceremonies and activities; including display of the flag flown at half-staff at the Town Hall; and further encourage all Summerfield residents to display the flag from their homes in memory and gratitude to our fallen and living heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Summerfield, North Carolina, this sixth day of September in the year of our Lord two thousand five.

B. Proclamation for Brian Fuquay: Barnes read the Proclamation for Chief Petty Officer Brian Fuquay. The Proclamation is hereby incorporated by reference and mad a par of these minutes:

WHEREAS, the United States Navy has played a significant role in the events that have shaped the world of today and we recognize the United States Navy as essential to the strength of our nation and the well-being of our communities; and

WHEREAS, Brian Fuquay was born on March 4, 1963 and enlisted in the United States Navy in June, 1984 at the age of 21, and will retire with an honorable service record in October, 2005; and

WHEREAS, his extraordinary heroism and conduct are in keeping with the highest traditions of U.S. Naval Service; and

WHEREAS, Chief Petty Officer Fuquay is to be commended for his valiant efforts to secure the liberties that we as Americans enjoy;

NOW, THEREFORE, I, Dena H. Barnes, Mayor, Town of Summerfield, do hereby recognize and honor

CHIEF PETTY OFFICER BRIAN FUQUAY

And extend to him our deep appreciation for his distinguished service and our best wishes for continued success in all his future endeavors.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Seal of the Town of Summerfield to be affixed this the sixth day of September, in the year of our Lord, Two thousand and five.

COMMITTEE REPORTS:

- A. Community Relations:** Laughlin reported they would meet in October.
- B. Finance:** Ronnie Stafford reported recommendations for maturing CD's and Finance Officer position. He stated they would meet again on September 12 at Town Hall.
- C. Historical:** Linda Southard reported they would not be having a fall educational display due to lack of space at Town Hall, but hopefully they could do something in the spring. Southard introduced local artist Bob Flowers, who unveiled his newest painting entitled "Summerfield". Flowers reported he would donate twenty-five percent of the proceeds from the sale of the painting (with 250 signed and numbered prints; a possible \$4600.00) to the Historical Committee to use as they see fit. Flowers stated those interested could see him or his website to order; with paintings being available in five weeks.
- D. Parks & Rec:** Sue Beeson reported park progress and stated construction will start soon.
- E. Public Safety:** No Meeting
- F. SYC:** Reece Walker reported that they have elected and installed new officers and they will be participating in the Juvenile Diabetes Walk on September 24 at Grimsley High School.
- G. Thoroughfare:** Robert Gordon committee supports the collector street plan and that the next MPO meeting will be on September 28th.
- H. Water Resource:** Gordon reported that approximately 25 residents attended the August 30th meeting. He stated they will meet on September 15th and will decide at that time if another public meeting should be held.

PRESENTATION BY CITY OF GREENSBORO ABC BOARD (Katie Alley)

Ms. Alley, General Manager of the Greensboro ABC Board introduced Fred McCormick, Assistant General Manager, who distributed information packets to the Council and those in attendance. Alley explained that the powers of the Board are those specified in Chapter 18B of the NCGS.

Alley stated the three goals of a partnership with the town would be to: 1) provide services to citizens, 2) accrue funds for the use and benefit of the Town of Summerfield, and 3) control the legal sale of alcohol. Alley reported that a partnership would combine managerial, administrative, financial, warehousing and law enforcement services and at the end of a pre-determined period, the Town or the Board could re-evaluate the agreement and have the option to remove themselves from the agreement.

She reported that after all legally required distributions and operating expenses are deducted, the Board would bill the Town for 30 percent of the costs and the Town would keep the balance. An example set forth was: \$712,000 in sales was the break even point; with sales of \$862,500 would net the town a profit of \$24,769; and sales of \$1,288,000 would provide net the Town \$62,533. Alley also reported that even if the Town does not partner with the Greensboro ABC Board, they will help set up a system at no charge.

Alley reported that the Greensboro ABC Board has twelve stores; owning and renting some; with floor plans varying in size from 2800 to 5000 square feet, with restrooms usually for employees only. Alley identified the Board members as Owen Lewis, Skip Warren, Carl Ashby, Ruth Forney and Nancy Stewart. Alley stated an Ex-officio Board member appointed by the Summerfield Town Council would attend the Board meetings and receive information and support for the Board, but would not be a voting member.

Councilperson Doggett asked who would provide the building in Summerfield and Alley stated the Greensboro ABC Board would assume that responsibility, but if the Town wanted to build a store, that would be an added expense. When location was discussed, Alley reported they would work with the Council and the planner for a strategic location. She reported it would take 2 to 3 months if a building is leased and six months if a store is built to open a store. Alley reported the Town could provide seed money to start the store; that money would be borrowed by the ABC Board or from a bank.

Councilperson Collins asked about law enforcement and Alley reported they have three officers who go to every store in the system every day, and go to bars and restaurants to help educated the staff.

There were questions from the floor about the ABC store in Oak Ridge and Alley reported she didn't have size or information figures about that store as it is operated by the Forsyth County ABC Board.

There was discussion about the ABC distribution currently received by the Town and Alley reported that if the Town builds a store, it will no longer be eligible for that distribution.

PUBLIC HEARINGS:

A. OLD BUSINESS:

A. COLLECTOR STREET PLAN (Cont. from August 2, 2005)

Bill Bruce, Town Planner, explained that concerns from Council in August had been addressed, and that streets promised by Council not to become through streets had been deleted from the map. Bruce pointed out that St. Crispin's Way would remain dead-end; Zane Drive will become a connector road replacing Crosby Court; High Hawk will become a connector road replacing Reata Court; a connector road from Centerfield to Medearis was removed, and other minor changes were made to roads in the Town Core. He emphasized this was a "plan" and that these streets would never be built unless the property is developed. Bruce also reiterated that the streets would not be build by the Town; that Council could ask the developer to provide a street if it is shown on the map. He stated nothing is etched in stone and that Council could alter the map at any time; he added that the sooner the Council adopted the plan the sooner they could require adherence to it.

After some questions from persons in the audience, Bruce explained that the Metropolitan Planning Organization is federally mandated to prepare a long-range transportation plan and has asked the Town to consider passing one. He stated the plan does not say the town wants development, but in case it happens these roads are in place.

In Favor:

Don Wendelken spoke in favor, stating he thought it was a great idea.

No one spoke in opposition.

After some discussion, a motion was made by Jane Doggett to adopt the Collector Street Plan as presented tonight. The motion was seconded by Carolyn Collins and carried unanimously.

BUSINESS FROM TOWN PLANNER

A. Proposed Revisions to the Town’s Parking Ordinance:

Bruce stated that the memo concerning the Town’s Parking Ordinance is to recommend that maybe it is time to look at the Ordinance to see if it’s applicable. He referenced requests that have gone before the BOA for reduction of parking at two subdivision amenity centers and one at a commercial site. He stated he will bring a recommendation before the Council in October.

Bruce also distributed a report of code enforcement to allow Council to see the number of infractions that have been addressed and their status. He reported junked cars seem to be the most common issue.

Bruce presented a new, colorful and highly visible, red and white sign to notify citizens of public hearings and stated they would be placed on the site approximately two weeks before the hearing date.

BUSINESS FROM TOWN ADMINISTRATOR/ TOWN CLERK:

A. Town Hall copier contract agreement: Dianne Laughlin stated that the information presented last month was incorrect due to a communication problem; that there was an extra charge for color copies. She resubmitted the comparisons to Council and stated that after reviewing the charges and services (still recommending a color, network ready copier) she recommended Dean’s Office Supply since they were the lowest bidder. She reported that in a year, the contract could be re-negotiated with actual number of copies.

There was some discussion about the number of copies we’d be using and past service with Dean’s Office Machines.

After further discussion, a motion was made by Carolyn Collins to approve Dean’s Office Machines. The motion was seconded by Bob Williams and carried unanimously.

B. Town Hall Janitorial Service: Laughlin reported that five requests for quotes were sent out and three companies responded. Their rates are \$500; \$195 and \$519.50. This is for one time per week janitorial services. Based on references and price, Laughlin recommended accepting the lowest bid of \$195.00 from Optima. There was some discussion about the variance in the prices and Laughlin stated they were a national company and that might have something to do with their price structure.

A motion was made to approve the one time per week contract with Optima. The motion was seconded by Mark Brown and carried unanimously.

BUSINESS FROM PARKS & RECREATION COMM

A. Parks & Rec Survey Contract (Sue Beeson): Sue Beeson, co-chair of the Parks and Recreation Committee reported on a proposal for a needs assessment to determine leisure preference of community residents. She stated the Parks and Rec Committee recommends this agreement to guide them. She reported 50% of the cost would be due on September 12th and 50% due on February 17, 2006. Beeson reported the survey would be prepared, mailed to Summerfield residents and analyzed by Dr. Jim Sellers of UNCG. Dr. Sellers will have discussion with focus groups and present a report to Council. If adopted, he will start the process on September 12 and report to Council at their February, 2006 meeting.

A resident asked about the costs and was told it was \$8,252.50, with the Town being responsible for the postage.

Mayor Barnes read the plans and steps stating there would be two public hearings with study findings on or before February 4, 2006.

There was discussion about a 2002 survey which had approximately a 15% return and discussion to defer the project for a year. It was reported this survey was prepared and analyzed by volunteers and the results were inconclusive.

Councilman Brown stated this is the first step and would give data as to what citizens want. He reported Robin Smith, Asst. Town Planner, would prepare a master plan using GIS; and focus groups could include Summerfield Recreation Association and senior citizens groups.

Beeson stated this survey would allow them to apply for grant money and they could have a liaison at these focus meetings.

There was discussion about the survey the YWCA was doing and waiting on those results.

After further discussion, a motion was made by Mark Brown to approve Contract with UNCG for Part one of \$8252.50 and come back when postage is known.

Collins suggested a friendly amendment to have the motion include getting the YMCA survey results along with Armfield offers to Dr. Sellers. Brown accepted the amendment.

Collins seconded the motion and it carried unanimously.

There was a break from 8:53 until 9:03.

B. Summary of 6 month park construction Contract (George Holub)

Holub stated he will be helping to build the Park. He spoke to grants totaling \$550,000 for the building of the park. He stated they had reduced the price quoted by Bar Construction Company by \$40,000 to \$50,000 by shopping around for better deals and getting some volunteer workers. Holub stated he would like Council to approve a contingency fund of \$25,000 to continue the project. They need \$4500 to get dirt moving. He reported NCDENR had turned down the proposed system presented by Westcott and Westcott was redesigning it. He's assured NCDENR will approve and send it back in ten days and this should allow them to start grading within 30 days. He stated Bill Trevorrow had read the contract and will contact there attorney to make any changes. He reported that Westcott could not charge extra for the second proposal because their contract stated all permits, etc. would be approved and that hasn't been completed.

Collins asked if anything were over budget and Holub stated the price increase will probably be in playground equipment. Collins also asked it the park should be completed by June, 2006 and Holub stated Phase I should be.

After some discussion, a motion was made by Bob Willies to approve a \$25,000 contingency fund for construction of the park. Carolyn Collins suggested a friendly amendment that Town Council is notified of the use and a progress report be given each month.

Williams accepted the friendly amendment; the motion was seconded by Carolyn Collins and carried unanimously.

A motion was made by Dena Barnes at 9:20 pm to recess to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an individual public officer or employee or prospective public officer or employee as provided under NCGS 143-318.11(A)(6). The motion was seconded by Bob Williams and carried unanimously.

Council reconvened at 9:40 pm.

After some discussion, a motion was made by Jane Doggett to offer the Finance Officer position to Dana Luther for \$45.00 for the first twenty hours and \$40.00 each hour thereafter; with Bill Trevorrow reviewing and making necessary changes in the contract. The motion was seconded by Bob Williams and carried unanimously.

BUSINESS FROM COUNCIL:

A. Consider appointments to Zoning Board: Barnes confirmed that we have two alternates at this time and they have been rotating in the vacant seat. She emphasized they didn't want to overload anyone by appointing them to more than one committee at a time. There was discussion about the various applications and their qualifications.

After further discussion, a motion was made by Carolyn Collins to appoint Lisa Kim, Kenneth Dunham, and Fredrick Burguieres as alternates to the Zoning Board. The motion was seconded by Jane Doggett and carried unanimously.

A motion was made by Jane Doggett to make the quarterly meeting on September 19th to a "Special" meeting to consider ABC Board Proposals, Personnel Policy; Planning Department Discussion and Speakers from the Floor Policy. The motion was seconded by Jane Doggett and carried unanimously.

B. Consider policy for Speakers from the Floor: (This item continued to September 19th)

BUSINESS FROM MAYOR:

Barnes gave an update on the Northwest Inspection Permit Office; stating that talks are ongoing with county personnel and County Commissioners and a public hearing has been scheduled for September 16 at 2:30 at the Oak Ridge Fire Department. She reported the Commissioners are to discuss this at their October meeting.

Councilman Stewart stated that towns might be asked to pay for the office and he stated he is totally against this because our citizens already pay double for their permits what the unincorporated areas pay. Stewart suggested the Town start their own inspections department.

There was discussion about costs for the town to start an inspections department. Councilman Brown stated he didn't think Guilford County wanted to lose money they receive from town inspections.

SPEAKERS FROM THE FLOOR (limited to 5 min. on non-agenda items)

Becky Strickland, 3220 Pleasant Ridge Road, stated she was concerned at how Town money is being spent. Reading from a prepared statement she referenced a Lake Brandt Greenway contract signed by Mayor Barnes. She stated Charlie Brummitt, Piedmont Greenway made a presentation on August 3, 2004 after this agreement was signed and she stated this was never discussed at public hearing. Barnes asked for a copy of the agreement and passed it to Bill Trevorrow, Town Attorney, to review. Trevorrow asked Strickland to give the clerk a copy of her comments, which she did, and Strickland asked Trevorrow for a legal opinion on this matter.

Trevorrow stated council would need to authorize him to give an opinion.

Bonnie Fields, 7707 Sun Valley Lane, stated she had heard the Hillsdale Brick Store would be torn down and she stated the Town should try to preserve it due to its historic value. Councilman Brown stated he had spoken with Mark Bell and reported they have heard they could take it down in one year. Bruce stated that Julie Curry, Guilford County Historical Preservation, is concerned also, and he will get with her to see what's happening. There were comments that the Bell's say they are not tearing the building down.

Fields also asked questions about the recent closing of the Wisteria House Tea Room. Bill Bruce stated the business was closed by environmental inspectors. Fields asked Council to not close their eyes to this sort of thing because the Tea House exemplified the kind of flavor citizens of Summerfield want in this area. Councilman Williams stated he understood the tenant had tried to exercise a verbal option to buy but was unable to. Councilman Stewart stated it was an issue of property owner rights that the town could not require the tenant to install additional septic lines nor could they require the property owner to give her additional land to install these lines.

Fields asked about the golf tournament on the calendar of the Town's Website and was told it was a fundraiser for the Northwest merchants Association and a joint endeavor to the three towns with Summerfield's mayor participating in the tournament.

Dwayne Crawford, 1106 NC Hwy. 150 W., stated he wanted to speak to the issue of "We're Not Paid". He asked about the value of the office of councilmember and stated he could not follow the logic behind the statement. He stated that comment diminishes the value of the office.

Councilman Stewart stated he has been misquoted; that he had said he would not divulge his personal income where he is gainfully employed. That he will tell anybody what property he owns, that he isn't hiding anything. He stated that Council members have secluded themselves when necessary and they had asked the Town Attorney when there is a conflict of interest.

Field suggested providing adequate compensation for council members; to which Stewart replied that being on the Council was not about making money, but about service to the community.

Councilperson Doggett gave an update on the Katrina evacuees, stating that there were 500 in Charlotte, 500 in Raleigh and Greensboro is back on the list. She stated that the Red Cross is looking for nurses and that they need one nurse for every fifty people.

Some residents gave reports of what their churches were doing in the effort.

Collins stated Pleasant Ridge Christian Church will need furniture, bedding, etc., as they are making the parsonage available for use.

With no further business before the Town Council, a motion was made to adjourn at 10:30 pm by Bob Williams. The motion was seconded by Jane Doggett and carried unanimously.

Dena Barnes, Mayor

Dianne Laughlin, Town Clerk