

Index: Minutes, Summerfield Town Council
March 13, 2007

March 13, 2007	Discussion of PARTF Grant and Phase 1 Close out	No action taken
	Approval of Rezoning case #02-07 AR to CU-RS40	Page 5
	Discussion of Manager / Council v. Council Mayor form of Government	No action taken
	Approval of Contract for Comprehensive Plan from MarshWitt & Assoc contingent upon attorney review	Page 6
	Approval of budget item #6 for Cavanaugh & Assoc to inspect watershed devices	Page 7
	Approval of budget item #7 Volunteer Appreciation Event	Page 7
	Approval of budget item #5 PTCOG for Summerfield Community Park phase 2 grant request	Page 7
	Approval of budget item #8, "One Brick At A Time" paving project	Page 8

**AGENDA OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
MARCH 13, 2007
6:30 PM**

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **INTRODUCTIONS**
5. **CONSENT AGENDA:**
 - A. **MEETING AGENDA**
 - B. **APPROVE MINUTES OF NOV. 14; DEC 5, 2006; FEB. 8; FEB 12, 2007**
 - C. **FINANCIAL REPORT**
6. **ANNOUNCEMENTS**
- 6.A **UPDATE ON PARTF GRANT AND PHASE I CLOSE-OUT**
 - a. **SPEAKERS FROM THE FLOOR (limited to 5 min. on PARTF grant and Phase I Close-out)**
7. **SPEAKERS FROM THE FLOOR (limited to 5 min. on non-agenda items)**
8. **COMMITTEE REPORTS:**

A. Community Relations	B. Finance
C. Historical	D. Parks & Rec
E. Public Safety	F. SYC
9. **Presentation by Tammy Welborn, Northwest Merchants Association, to introduce NWTM Map Project**
10. **PUBLIC HEARINGS**

NEW BUSINESS:

(A) **Rezoning Case #02-07 AG to CU-RS40** The parcel is located at 6143 Lake Brandt Rd in Center Grove Township; Guilford County Tax Map # 10-06-0356, Block 773, Parcel 08, being across Lake Brandt Rd from its intersection with James Doak Parkway. The parcel is owned by Willis Smith Development LLC & Willie Smith Heirs, approximately 45.261 acres.
11. **BUSINESS FROM MAYOR:**
 - A. **Manager/Council v Council/Mayor Form of Government Discussion**
12. **BUSINESS FROM TOWN ADMINISTRATOR:**
 - A. **Set Public Hearing Date for Summerfield Properties LLC (AKA Armfield) for public donation of 90 acre park**
 - B. **Discussion of Contract for Services for MarshWitt & Assoc. for Comprehensive Plan for Summerfield**
 - C. **Set Budget Meeting Dates**
 - D. **Approve budget amendment for Cavanaugh & Associates to inspect watershed devices**
 - E. **Approve Budget Amendment for Volunteer Appreciation Event**
 - F. **Approval of Budget Amendment for overage incurred by**

PTCOG for Summerfield Community Park phase 2 grant request.

G. Web Contract Discussion

H. Metropolitan Planning Organization (MPO) Transportation Improvement Plan update.

I. Request by Parks & Rec. Committee to construct "One Brick At A Time" paving project.

13. ADJOURN

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
MARCH 13, 2007
6:30 PM**

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 at 6:30 by Mark Brown.

The invocation was led by Linda Southard; followed by the Pledge of Allegiance.

INTRODUCTIONS:

Council:

Mark Brown, Mayor
Dena Barnes, Pro Tem
Carolyn Collins
Dwayne Crawford
Becky Strickland
Bob Williams

Staff:

Michael Brandt, Town Administrator
Dana Luther, Finance Officer
Valarie Halvorsen, Town Clerk
Dianne Laughlin, Interim Clerk
William Hill, Town Attorney

CONSENT AGENDA:

Mark Brown announced that there was a request from the property owner to continue rezoning case #01-07. A motion was made by Bob Williams to continue this case and was seconded by Carolyn Collins and carried unanimously. Mark Brown then proposed several changes to the Consent Agenda including the following: moving Business From Town Administrator item 12.G Update on PARTF grant and Phase I Close-out to item 6.A. Brown also requested Council consider allowing 45 minutes for citizen comments. Also requested was to insert Web Contract in item 12.G. Becky Strickland requested a wording change of item 11.A from Manager v Council/Mayor Form of Government Discussion to read Manager/Council v Council/Mayor. Brown asked Council to consider a 10:30 cut off time for this meeting with the remaining business to be continued to date certain Thursday March 15, 2007 at 6:30pm.

A motion was made by Dwayne Crawford to approve the Consent Agenda with recommended changes. This includes the Meeting Agenda; approval of minutes from November 14, December 5, 2006 and minutes from February 8; February 12, 2007; and the monthly Financial Report. The motion was seconded by Bob Williams and carried unanimously.

ANNOUNCEMENTS:

Brown announced that the Lighting Committee would be meeting Friday March 16, 2007 at 8:00 am at Town Hall to discuss aspects of the lighting ordinance.

UPDATE ON PARTF GRANT AND PHASE I CLOSE-OUT

Brandt stated that Kathy White from the PARTF grant administrator's office toured the park and was pleased with it, and thanked Dana Luther for writing the grant reimbursement request. He also stated no changes have been requested by the grant administrator's office, and that it will be 4-6 weeks before Summerfield will be notified of approval.

Brown spoke of concern about the letters sent to the PARTF grant office by Strickland and Dunham. He stated over the last 10 years many volunteers have worked on this project and Phase I is now complete. The majority of the Council voted in January to begin Phase II. Brown said Strickland was out of order in

sending the letter, and it was not in the best interest of the Town and its citizens, and he stated it was done in spite, and "in concert" with Dunham's letter.

Collins spoke of Strickland being influenced by Dunham and she was shocked by the letters, that it violated ethical protocol by going against the vote of Council. She further stated that this is a violation of trust which truly affects the citizens of Summerfield, and stated to the citizens that it is time to take your Town back.

Bob Williams stated he was proud to be a citizen of Summerfield, and quoted e-mails he received in support of the park and from Strickland and stated this has potentially cost the Town a half-million dollars.

Barnes stated she is troubled by this and the grant may now be in jeopardy, and this is contrary to the vote of Council. She further stated that it showed poor judgment.

Strickland stated her letter was written as a resident as well as a Town Council member, and was not written in concert with Dunham. She stated she was elected in November 2005 and during her campaign made it clear that she was opposed to Phase II of the park project and was still elected, because Phase II does not have the support of the majority of Summerfield citizens. She referenced Dr. Sellers' survey as the official survey from which she gets her information. Strickland further stated the Code of Ethics was adopted August 2, 2005, and she never saw or read this code until January 23, 2007.

Strickland stated it was not good stewardship to spend \$500,000 if the majority is not for it. She also stated it was clear in the letter that she was speaking her mind only; that in not copying the letter to the other Council members she was seen as being subversive, but that was not the intention. Strickland apologized for not ccing the letter to other Council. Strickland further stated that other Council members need to apologize for some things as well.

SPEAKERS FROM THE FLOOR (limited to 5 min. on PARTF grant and Phase I Close-out)

Beth Kaplan, 7979 Highfill Rd, requested the resignation of Strickland, and stated that the principal of majority rules was not upheld, as Phase II was approved by Council by a 3 to 2 vote in January. She further stated Strickland circumvented Council's vote with the letter, and went behind the backs of the Mayor and Council members, and that it was a blatant abuse of power. Kaplan stated while Strickland acted outside of the governing body, she gave impression otherwise, that it was dishonest and unethical, and requested Strickland resign tonight.

Steve Adkins, 7591 Cassidy Way, a representative of the Friends of Summerfield, encouraged Council and other Park related agencies to take aggressive action to save the grant. He also stated the Friends of Summerfield support the change to a Manager/Council form of government.

Clark Doggett, 7986 Highfill Rd, stated he is not a member of any committee, club, blog or group, just a citizen and taxpayer, and wants to share his disappointment with what Strickland is trying to do; she has possibly cost us \$500,000. He stated 800 people came to the grand opening of the park, and he told Strickland "you did not even stop, you rode by"; you don't participate or come to Founder's Day or talk to us about what we want, and stated "I feel you should resign tonight".

Deborah Adkins, 7591 Cassidy Way, said the Friends of Summerfield decided to always make positive statements at Town Council meetings, but it would be difficult to do so tonight. She spoke of public parks in general, that they are national assets and provide natural beauty, and read some positive comments from the community concerning the park.

Strickland responded that she had no intention of resigning and stated she does not feel that she abused her power based on her understanding of the code of ethics. She stated she had learned a valuable lesson tonight and would take it under advisement. Strickland responded to comments about not attending the grand opening of Phase I of the park, stating that no handicapped parking was available when she came by, and "I have a degenerative back condition which prevents me from participating in many events."

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

Jay Copeland, 7412 Dickenben Dr, stated the SRA opening date for softball will be March 24, 2007 beginning at 9:00 am, and invited Council and Town staff to come out and pitch the first ball.

Patti Stokes, 6911 Summerfield Rd, spoke about open and honest government, Code of Ethics, and high ethical standards. She stated the Forum was created in October 2005 for the purpose of open and free discussion by citizens, has over 180 members, and members are required to agree to protect the anonymity of all other members. Stokes further stated that due to a software glitch, one Council member took steps to disclose the identity of Forum members. Stokes said she is taking no action on this matter; however she challenged Crawford, stating that she is pursuing all avenues, legal and ethical. She further stated a software glitch does not give the right to barge onto the data base.

John Wray, 4914 Rhondan Dr, recommended to all to read a book titled "The Secret". He further stated he had received a number of telephone calls regarding articles in the NorthWest Observer and the News & Record about Council members attacking volunteers, and stated volunteers and staff had quit due to being embarrassed and humiliated, and he asked for it to stop.

Alicia Flowers, 7401 Whitaker Ct, spoke of newspaper article and referenced a text from the Municipal Government in North Carolina publication. She wished to remind Town Council members that they were voted in based on the public's trust in them to govern wisely, to do a good job, and to be good stewards. She stated debate and exchange of ideas is effective, however, citizens can't respect Council if Council members do not respect each other. Flowers further stated that she expected Council members to take the high road and to focus on the business of the Town.

Bea Curtis, 3251 Pleasant Ridge Rd, spoke to her childhood in Summerfield, and her disappointment in growth. She stated her feeling that the village was being destroyed, and her wish for traffic to be slowed down.

COMMITTEE REPORTS:

A. Community Relations: Tammy Welborn announced Founder's Day will be held May 19, 2007 from 9:00 am to 3:00 pm on the grounds of Summerfield Elementary School. She spoke of the time and effort involved in this event and asked for volunteers for both the event and the committee. She also stated that the next meeting would be held April 3, 2007 at 6:00 pm.

B. Finance: Dana Luther reported a \$1,150,000 CD had matured and was renewed for 5 months at 5.27%. The next meeting will be March 19, 2007 at 7:00 pm in Town Hall.

C. Historical: Linda Southard reported on a planned reception to install plaques for homeowners in the Historic District who meet the qualifications. There was discussion about a framed historical document, which was donated to the museum being repaired. Crawford asked if it was covered by insurance, and Brandt stated although he did not think so, he would look into it. Southard reported she had obtained a rough estimate for repair from a local citizen not to exceed \$1200.

D. Parks & Rec: Sue Beeson announced a change in monthly meeting dates to the first Thursday beginning in April; that on February 24, 2007 SYC and 27 volunteers planted 3000 bulbs in the park; and 3 scouts have chosen to do their Eagle project in the park.

E. Public Safety: Brandt spoke about trail safety, that Summerfield would be a test case on this issue for the larger community, and the upcoming Guilford County Emergency Services meeting on this issue.

F. SYC: Tammy Welborn thanked the SYC for all their hard work and support with planting the bulbs and putting together playground equipment along with other projects, and thanked the adults who mentor youth. She also asked for other citizens to sponsor SYC.

Brown spoke to the Guilford County Health Department meeting on the Flu pandemic, stating Town Council members were unable to attend, however the chair of the Public Safety committee did attend, and literature from the meeting was available.

Presentation by Tammy Welborn, Northwest Merchants Association, to introduce NWTM Map Project:

Welborn spoke of the project, stating that 5000 copies will be printed, and this is the first printing of a full color map of the Northwest Guilford area. Council was given examples of similar maps with advertisements placed by local municipalities and asked if Summerfield would consider such an ad. Barnes asked for a deadline for decision and Welborn replied sales will be taken during April for publication during September. Brandt stated there is no map of just Summerfield and this would be beneficial to the Town, and money spent could be recouped by map sales. Crawford asks when a decision is needed; Brandt replied it is needed soon in order to ensure the availability of the desired space. Brown said it would be added to the March 15, 2007 agenda for further discussion.

BREAK FROM 7:45 until 8:00

PUBLIC HEARINGS

NEW BUSINESS:

A. Rezoning Case #02-07 AG to CU-RS40 The parcel is located at 6143 Lake Brandt Rd in Center Grove Township; Guilford County Tax Map # 10-06-0356, Block 773, Parcel 08, being across Lake Brandt Rd from its intersection with James Doak Parkway. The parcel is owned by Willis Smith Development LLC & Willie Smith Heirs, approximately 45.261 acres.

The case was presented by Brandt, reading from the staff report. Brandt reported that the Zoning Board requested additional conditions, with approval contingent upon acceptance of conditions. Additional conditions: 1. The buffer is to extend across Lake Brandt Rd with type B plantings. 2. Physical removal of all debris. 3. Certification of debris removal. Per Brandt, the applicant Mohammed Markatia, was not present at the hearing, but did agree to the conditions put forth by the Zoning Board. Brandt reported that there were only 3 Zoning Board members present at the hearing. There was discussion about road connections, old tobacco barns, and log cabin on site.

Public Hearing opened at 8:10 pm, and Brown explained that 30 minutes would be allocated for each side, with 10 minutes for rebuttal each.

Proponents:

Eric Morgan, Morgan Surveying, 524 S Elm St, represented applicant Mohammed Markatia and developer Lands America. He stated that the owner agrees to all Zoning Board conditions and spoke to the issue of traffic, stating that one single entrance to Lake Brandt Rd is planned. He further stated that a banking bond and finance is in place for debris clean-up, and the additional open space has been added to make the open space contiguous. Strickland asked about long-term environmental damage. Morgan responded that the clean-up will be certified and there do not appear to be any contaminants at the site, but if discovered, Guilford County Environmental Health will be brought in for their input.

Opponents:

No one present spoke in opposition.

Public Hearing closed at 8:19 pm.

A motion was made by Dena Barnes to approve rezoning case #02-07 based on the conditions offered by the applicant to reflect requests of Zoning Board to comply with the Long Range Plan. The motion was seconded by Dwayne Crawford and carried unanimously.

BUSINESS FROM MAYOR:

A. Manager/Council v Council/Mayor Form of Government Discussion

Brown stated that since the beginning of the 20th century towns and cities have been using managers to handle the everyday business of the town, and that 300 or so of the 500 or so localities now have the manager system in place. He stated the benefits as the manager is able to make decisions based on the budget without having to get Council approval, and would have the ability to hire and fire staff. Barnes stated this issue was first discussed in 2004 (this statement was later corrected to 2003), and at that time a presentation was given by Bob Crowder of the NCLM during a special meeting. The discussion continued with statements about smaller towns of less than 5000 people having a Council/Mayor form of government. In this form, Council makes all decisions during meetings, and Manager/Council form delegates decision making authority to the manager, and he makes decisions based on mandate of Council. It was stated that Council/Mayor form would have decisions made by Council and Manager/Council would give the vote to the people, and this change would require a change of charter. Barnes suggested gathering more information perhaps through another NCLM presentation.

Crawford spoke of the limited services offered by the Town. Collins stated that it would be a positive move to Manager/Council, as Brandt could then make decisions for his staff, that too much is micromanaged by Council, and this will allow decisions to be made in a timelier manner.

Brandt stated that the decision should have nothing to do with him personally, and offered to leave the meeting if Council wanted to discuss it outside of his presence, but Council did not ask him to do so.

Barnes spoke about other municipalities changing to Manager/Council form of government having a transition period and reiterated that it would be ill advised to decide tonight, that more information is needed and perhaps advice should be sought from municipalities that have gone through such a change.

Strickland stated that due to town population of less than 7500, non-rapid growth, and services such as Public Works, Police, and tax collection being contracted out, having a manager is not warranted. She further stated that the manager would have no accountability to the voters; the Council could not change the manager's decisions except by firing him, and this form of government is undemocratic in nature. Strickland stated the change is intended to give less voice to the minority members of the Town Council, that she is very opposed to this change, and a citizen's forum and referendum should be held on this matter.

Barnes disagreed and stated previous Council members were voted out because that was the year a property tax was imposed.

Crawford spoke in disagreement to the proposed change, stating the manager could become a part of citizen politics.

Brown stated there was much public interest in this matter and suggested bringing in a speaker from NCLM for the next meeting, then holding a formal public hearing the following month for discussion.

Strickland requested an additional speaker, one that is not "pro-government", perhaps from the John Locke Foundation. Brown asked Brandt to look into gathering this information, with Crawford suggesting using a facilitator and holding a special meeting. Brandt stated perhaps June or July would be better, as the focus right now is on the budget. Barnes agreed.

By consensus, Council agreed to have discussion after further information is gathered.

Mayor Brown reminded Council that Brandt's evaluation was due in May and blank evaluation forms would be distributed in next month's package. Additionally, the Town has been invited to participate in the rewriting of the 13 year old Guilford County Animal Control Ordinance. The date is April 10, 2007 at 5:30. It was stated that the monthly Council meeting is scheduled for the same day, so Town Council members will not be able to attend, but perhaps another Town representative could attend.

BUSINESS FROM TOWN ADMINISTRATOR:

A. Set Public Hearing Date for Summerfield Properties LLC (AKA Armfield) for public donation of 90 acre park

Brandt requested Council to direct him on which committees should look at the properties being offered by Armfield. Barnes suggested Parks & Recreation, Public Safety, Finance, and the Zoning Board be a part of the review committee, and she would prefer to hear from them before the public hearing. Brandt suggested hearing the committee information in May, and holding the Public Hearing in June. Barnes suggested two reports, one on the original 90 acre property and another on the 30 acre tract that has been discussed. Brandt stated that according to the ordinance, donation of public land requires public review, and if the donation is accepted, planning is required in a reasonable time period.

B. Discussion of Contract for Services for MarshWitt & Assoc. for Comprehensive Plan for Summerfield

Brandt requested Council to approve, revise, or give direction on how to proceed with this matter. He stated that while the proposed cost of \$115,000 is much more than the \$40,000 originally budgeted, this cost can be spread out over 3 budget years, and this firm seems to offer the most comprehensive public input, which is what is desired. Collins stated that all are in agreement that this firm is the best, and that Council should probably approve this. Brown stated the cost is high, but the scope, and the intensely citizen driven plan is what is needed, and demanded by the citizens. He spoke of checking with other firms for comparable plans. Strickland stated she was not surprised by the cost, it is the most important thing the Council is doing, and it will be money well spent. Bill Hill stated as this is a professional service, this offer must be rejected in order to request offers from other firms. Crawford spoke of the importance of this project, the good track record of this firm, and recommended going with this intense plan. A motion was made by Strickland to approve this plan contingent upon attorney review of the contract; was seconded by Bob Williams, and carried unanimously.

C. Set Budget Meeting Dates

A Budget workshop will be held Tuesday March 20, 2007 at 6:30 pm in Town Hall. As state statute requires that the budget be presented by June 1, a Special Meeting of the Town Council will be held for this purpose on May 31, 2007, public hearing on the 207-2008 fiscal budget on June, 12 2007, and a Special Meeting of Council for approval of the budget on June 19, 2007.

D. Approve budget amendment for Cavanaugh & Associates to inspect watershed devices

Brandt requested the following action: Adjust amounts between line items as follows: 4013308: Planning Services-Services-Town Engineer Contract increase from \$10,000.00 to \$22,000.00
7011401: Community Services-Public Safety Committee-Capital Outlay-Town Utility Truck decrease from \$18,000.00 to \$10,000.00
6011401: Community Resources-Parks & Rec Committee-P&R Capital Outlay-SC Park Phase I

decrease from \$66,725.00 to \$62,525.00.

An increase in the town engineer contract is requested in order to amend the current contract to include required watershed inspections. No net increase in total funds.

There was discussion about property owners being responsible for upgrades and inspections being mandated by both state and federal laws. Brandt stated that Summerfield has not done these inspections before now.

A motion to approve budget item #6 was made by Barnes, seconded by Collins, and carried unanimously.

E. Approve Budget Amendment for Volunteer Appreciation Event

Brandt requested the following action: Adjust amounts between line items as follows:

2010303: Governing Body Expenses-Services-Volunteer Appreciation increase from \$1,500.00 to \$2,000.00

3010303: Administration-Services-Town Newsletter decrease from \$10,000.00 to \$9,500.00

An increase in the volunteer appreciation budget is requested in order to fund the upcoming annual volunteer appreciation event. The event will be a family oriented trip to the Greensboro Grasshoppers baseball game on Monday May 21, 2007. No net increase in total funds.

Strickland stated she is misconstrued as not appreciative of volunteers, and suggested using charter busses to transport the volunteers to the proposed baseball outing. Brandt will look into the cost of bus transportation. Dana Luther suggested increasing the amount to \$3,000 in case money is needed for bus transportation.

A motion to approve budget item #7 was made by Strickland, seconded by Barnes, and carried unanimously.

F. Approval of Budget Amendment for overage incurred by PTCOG for Summerfield Community Park phase 2 grant request.

Brandt requested the following action: Adjust amounts between line items as follows:

6011309: Community Resources-Parks & Rec Committee-P&R Services-P&R Grant Writing increase from \$4,500.00 to \$5,350.00

6011402: Community Resources-Parks & Rec Committee-P&R Capital Outlay-SC Park Phase II Grant Request decrease from \$12,000.00 to \$11,425.00

6011401: Community Resources-Parks & Rec Committee-P&R Capital Outlay-SC Park Phase I decrease from \$67,000.00 to \$66,725.00

An increase in the grant writing budget is requested in order to reimburse The Piedmont Triad Council of Governments for additional survey expenses incurred during the writing of the Summerfield Community Park Phase II grant request. No net increase in total funds.

A motion to approve budget item #5 was made by Crawford, seconded by Collins, and carried unanimously.

G. Web Site Contract

Item carried forward to Thursday March 15, 2007.

H. Metropolitan Planning Organization (MPO) Transportation Improvement Plan update.

Brandt told Council no action was required and gave an update on transportation projects affecting the Town: US 220/NC 68 Connector Segment A Pleasant Ridge to Brookbank Rd ROW delayed one year, CST delayed two years (10-11, 13-Post year) Segment B new alignment Brookbank Rd to US 220 ROW accelerated one year, CST accelerated post-year (RW 10-11, CST 13-Post year); US 220 Widening from Horsepen Creek to US 220/68 Connector delayed 1 year (ROW 08 CST 10-12).

I. Request by Parks & Rec. Committee to construct "One Brick At A Time" paving project.

Brandt requested the following action: Approve Town Administrator to release donated funds for brick walkway and approve Town Administrator to enter into construction contracts limited to construction of brick walkway. Brandt stated that \$7,500.00 has been collected so far for inscribed bricks and that the total cost will be around \$12, 000.00, and requests full allocation of money needed now, as it will be cheaper to go ahead and install everything at the same time. The funds will be recouped with future brick sales. Brandt stated that Pine Hall Brick will be handling the construction of the walkway.

A motion to approve budget item #8 was made by Barnes, seconded by Bob Williams, and carried unanimously.

Brown recessed the session at 9:50 pm to Thursday, March 15, 2007, with consensus of the Council as per approval to recess during the Consent Agenda approval.



Mark E. Brown, Mayor



Valarie Halvorsen, Town Clerk