

**MINUTES OF THE  
SUMMERFIELD TOWN COUNCIL  
SUMMERFIELD COMMUNITY CENTER  
November 1, 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 at 6:31pm by Mayor Dena Barnes.

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

**INTRODUCTIONS:**

|                    |                                               |
|--------------------|-----------------------------------------------|
| Dena Barnes, Mayor | Michael Brandt, Town Administrator            |
| Bob Williams       | Bill Bruce, Town Planner                      |
| Michael Stewart    | Bill Trevorow, Town Attorney                  |
| Mark Brown         | Dianne Laughlin, Town Clerk                   |
| Jane Doggett       | Dana Luther (Finance Officer to be appointed) |

Mayor Barnes announced that Carolyn Collins was out of town.

**CONSENT AGENDA:**

A motion was made by Mark Brown to approve the Consent Agenda which included the Minutes of October 4, 2005; monthly Financial Report; and Finance Officer Budget Amendments; the motion was seconded by Bob Williams.

Barnes asked if anyone present was here specifically to hear the water discussion. She stated they could move something up if needed. No one responded.

The motion carried unanimously.

After a recommendation by Mark Brown, Council decided by consensus to allow James Powers to speak early in the meeting (due to health problems) during “announcements” instead of waiting until Item 14: Speakers from the Floor.

**ANNOUNCEMENTS:**

James Powers, 7622 Brisbane Drive, stated he had just had open heart surgery and reported that combined, he and his wife had prescriptions that total over \$500 each month; that they are on a fixed income. He stated he is opposed to the lighting Ordinance; water being brought in; taxes and anything that would be an added expense to citizens. He stated he felt the council wasn’t looking after the citizens and it was time for a house cleaning of Council.

Robert Gordon stated the Fire Department would be holding a Brunswick stew and that it would be ready to pick up on November 19<sup>th</sup>. He was not sure of the cost.

Michael Stewart reported on funeral arrangements for Lance Corporal Andrew Rossili, a NWHS graduate who died while fighting in Iraq. He asked everyone to vote on Tuesday in honor of Lance Corporal

Andrew Rossili, since he had given his life for this country.

Barnes recognized mayoral candidate, Bill Peterson; who declined to speak in order to conserve meeting time.

Michael Brandt reported President Bush had ordered flags be flown at half staff in honor of Rosa Parks and by consensus Council stated it would also be in honor of Corporal Rossili.

**COMMITTEE REPORTS:**

**A. Community Relations:** Tammy Welborn reported on businesses who are interested in sponsorships for Founders Day. She stated she would like to have a sign across from the Town Hall with the various sponsors' logos on it for a year as part of their benefits for this venture. She spoke to various events at Founders Day such as an antique car show and an apple pie baking contest.

**B. Finance:** Ronnie Stafford reported they met on October 17 and stated the Town has over \$7.4 million and that upcoming CD's would be invested using the same criteria as in the past.

**C. Historical:** Linda Southard stated there was no new business, and later in the meeting, she reported that Bob Flowers had presented her with a check for \$750; 25% from the sale of prints of his painting "Summerfield".

**D. Parks & Rec.:** Mark Brown reported SPARCS would be holding focus meetings on Monday, November 7<sup>th</sup> at 7 pm and on Saturday, November 12<sup>th</sup> at 10 am, to get input from the public on recreations needs for the Town. Both meetings will be held at the Community Center

**E. Public Safety:** Ron Marshburn reported they have been working on Emergency Management relationships with Guilford County and the Town. He spoke to disaster training by the Red Cross and ways to get information to the public on disaster and emergency panning.

**F. SYC:** Reece Walker stated the Tree Lighting will be on November 19<sup>th</sup>; the SYC will be volunteering for "Kid's Voting" on November 7 at First Baptist Church. He asked for adult volunteers.

**G. Thoroughfare:** Gordon stated more would be discussed in Business from Town Planner.

**H. Water Resource:** Gordon reported there would be more discussion under item 11b.

**WELCOME TO SUMMERFIELD SIGNAGE** (George Holub)

Holub stated he had looked at current signs on Highway 220 and that they are rusty and very distasteful and he has looked into getting signs for entrances saying "Welcome to Summerfield" that would be more attractive. He reported on NCDOT regulations and displayed sample signs for viewing. He stated he had a corporate sponsor who will pay for the signs at a cost of \$3000 for ten signs, if his company name can be put on a separate signs stated donated by XYZ company. If not, he will donate \$500. Holub asked Council if he can proceed with this project.

There was some discussion about whether to accept this offer and Bill Trevorrow stated a gift to the Town could be accepted or rejected.

After some discussion, a motion was made by Michael Stewart voted to accept the gift offered at no cost

to the Town and proceed with Holub's project. The motion was seconded by Bob Williams.

There was much discussion about the signs and the person who would pay for this. Holub announced after some questions, that Paul Milam of Henson Farms was the sponsor. Many citizens in the audience, had concerns that other businesses had not been given the opportunity to sponsor the signs.

After some discussion, the motion carried 4 to 1. Mark Brown voted no.

**PUBLIC HEARINGS:**

**A. REZONING CASE #6-05: AG to RR.** The property is located at 7304 Winchester Trail Loop, in Center Grove Township; part of Guilford County Tax Map 6-337, Block 840, in Center Grove Township; Parcel 2 approximately 3.8 acres; owned by Williams R. Garner, III and Lynn Green Gardner.

Bill Bruce presented the case, reading from the Staff report. He stated there were no records of past rezonings on this property. He reported the owner wants to divide the property in two lots of an avg. of 1.9 acres per lot. Other lots in the area are around 2.37 acres. He reported no sketch plan is required for this hearing and that a map with a recent plat with location and lots size is in the council package. He reported the Zoning Board recommended approval.

**In Favor:**

Billy Gardner, 7304 Winchester Trail Loop, stated he plans to divide the land and hold on to it for a while.

**Opposed:** No one spoke in opposition.

After some discussion, Michael Stewart made a motion to approve Re-zoning Case #6-05, based on the Zoning Board and the Town Planner's recommendation. The motion was seconded by Jane Doggett and carried unanimously.

**B. REZONING CASE #7-05: AG to RS-40.** The property is located at 2613 and 2615 Pleasant Ridge Road, and 5419 Saddlewood Drive in Bruce Township; Guilford County Tax Map 1-33, Block 922, Parcel 5; 1-33, Block 921, parcel 17; and 10-650, Block 967, Parcel 12; owned by Mathias P. Hunoval, approximately 56.16 acres.

Bob Williams asked Bill Trevorrow, Town Attorney, if he should excuse himself from this hearing because Patrick Downs (Attorney for the Owners) had represented him in the past and Trevorrow asked if Williams stood to gain monetarily from this rezoning, to which Williams replied that he would not. With that, Trevorrow stated Williams did not have to excuse himself.

Bill Bruce, Town Planner, presented the case, reading from the Staff report. He indicated the location of the property on the map and stated no history of denied cases is recorded for this property. He referenced two major features; a perennial stream and primary conservation areas. He spoke to steep slopes on the property, and increased traffic trips. He stated that Staff recommends approval.

There was discussion about RS-40 rezoning and Bruce stated it would prevent "cluster housing." He reported there could be 41 houses on 56 acres of land.

**In Favor:**

Bob Bates, Land Acquisition Manager for K. Hovnanian Homes, referred to the information package Town Council had received. He stated the homes would be 2700 to 4400 square feet, with 34 houses planned at a cost of \$300,000+, with 23% open space. He stated they would leave a 20 foot buffer around the property, and that three or four homes would be seen from the Pleasant Ridge Road. He stated some road improvements would be needed as per Lane Hall, with NCDOT. It was reported that Hall said no improvements would be needed at Saddlewood Drive and Bates reported the road to Saddlewood would not be opened until the project was finished so that construction traffic could not go through that area. Bates reported they would work with the Corp of Engineers on the perennial stream issue.

Bates reported they have included an environmental report in their packages and that experts in the field were present tonight to answer any questions.

Paul Stimpson, 8642 W. Market Street, stated he had walked the property and looked at sensitive areas. He reported they had given an extra four acres and a 20 foot buffer in regards to this. He reported one home per 67,000 square feet. He reported that 56.16 acres is the wrong total; that the correct acreage is 54.21. He stated the rezoning meets the watershed rules and they could go up on the number of houses. He reported the existing house will remain as part of the plan.

**Opposed:**

Roy Bargebuhr, 5510 Faye Drive, Greensboro, stated the developers have overcome a lot of the objections, but the twenty foot buffer at Faye Drive is not sufficient. He stated he enjoys nature, and that they are not leaving enough open space. He spoke to concerns about traffic at 7:30 to 8:30 am. He stated he wants things to remain rural; because that's the reason he moved to Summerfield.

Beth Baldwin, 5512 Faye Drive, Greensboro, stated they asked to be in Summerfield when the Town incorporated. She told Council they are counting on them to preserve Summerfield. She spoke to concerns about the environment and stated her backyard is designated as a Backyard Wildlife Habitat by the National Wildlife Federation and she would like to see that protected. She asked the developers to give more time to look at the maps.

Elizabeth Edmonds, 5405 White Blossom, Greensboro, stated her reasons for objecting haven't changed: schools, roads, scenic vistas, water, wildlife and appeal for all neighbors. She stated this plan doesn't fit into the area because it will be "cookie cutter" houses; not custom built like the others. She reported this developer has a bad reputation; that developers seem to be in control; they will do the very minimum. She asked Council to put the brakes on this development.

Paul Weiss, 5409 White Blossom, Greensboro, spoke concerning an accident involving his fiancée and another accident recently at Pleasant Ridge and Faye Drive because of the traffic. He stated his property was also a Backyard Wildlife Habitat and that he had seen rare birds, including a rare woodpecker in the area.

Carl Colozzi, 5514 Faye Drive, state he moved here five years ago. He spoke to concerns about the stream that runs next to his house and he stated they were taking away the wetlands. He reported this same company had problems with paving in Oak Ridge and he had concerns about the quality of homes. He asked that they revise the plan and designate certain areas as "bad lots".

Gail Dunham, 5805 Snow Hill, stated the Zoning Board didn't recommend approval and she felt that Bruce's presentation was one-sided. She reported mistakes in the streams and asked Council to vote no.

Becky Strickland, 3220 Pleasant Ridge Road, stated she had been to all the meetings and this was the first one where the public wasn't told of the Zoning Board's recommendation to deny this case.

Steve Barney stated he was concerned that the stream watering his cows would be polluted.

Debbie Hoffman, Deer Meadow Lane, stated she had no problem with neighbors and developers, but she had concerns about the number of houses planned and she spoke to concerns about wetlands and she also had traffic concerns.

Gary Todd, 5415 Saddle wood, stated he had traffic concerns that were not accounting for Saddlewood Drive, and that Saddlewood Drive should become a one way street. He stated he rejected the "this plan or something worse" idea and that the character is not in keeping with Saddlewood Drive and was not well thought out.

The public hearing closed at 8:20 pm.

**Rebuttal:** Bob Bates stated he understood the concerns, and this is only the first step. He reported they (the developers) must work with the Corp of Engineers, and this isn't the final site plan.

After some questions about the Zoning Board recommendation, Bill Bruce apologized for not addressing the Zoning Board's recommendation; stating that report was out of order in his packet and he simple missed it because "he sometimes makes mistakes." Bruce reported the Zoning Board voted 3 to 0 to deny. He reported they had concerns about the environmental features on site, and documentation. He explained the duties of the board and staff and explained they are required as per bylaws to submit a written report to the Council following a hearing.

Dick Feulner, Zoning Board member, stated there were a lot of things wrong; the information conflicted, and Zoning Board members stated it wasn't correct. He reported they didn't have a proper map. He acknowledged he spent two hours on the property and there are concerns. He also stated the open space could be used for off-site septic.

After some discussion, a motion was made by Michael Stewart to deny the re-zoning request; at the recommendation of the Zoning Board; stating the property is not suitable for RS-40. The motion was seconded by Mark Brown.

Doggett stated she agreed with Stewart and added that the property could be developed in a way as not to destroy the steep slopes.

The motion carried unanimously.

### **BUSINESS FROM TOWN PLANNER:**

#### **A. Dark Sky (Lighting) Ordinance Discussion:**

Bruce stated he had significant comments since this was discussed in October. He reported a staff meeting with Duke Power Reps. on November 9<sup>th</sup>; at which time he hopes to clarify some information. He reported Dukes Power's customer service call centers wasn't prepared for the number of calls received

and that he was not confident with the information being given by the call center. There was discussion about some existing lighting and enforcement issues. Council instructed Bruce to find out about the costs and the approximate life of the fixtures and report back to them in December; at which time they could look at the Ordinance intent and decide what is best for the citizens.

**B. Transportation Feasibility Study for re-aligned NC 150 West**

Bruce reported on a feasibility study for the realignment of Highway 150. He indicated the proposed realignment on the map; stating the study would begin at the intersection of NC 150/ Auburn Road and US 220, going westward on a new alignment to Brookbank Road; with the relocation of NC 150 continuing along Brookbank Road to Bunch Road and then along Bunch Road to NC 150 (Oak Ridge Rd.)

He stated the cost of the study is \$32,690 of which the Town is requested to provide a 20% match of \$6538 in funds and in-kind services of Town Staff. He reported they have determined the match minus the in-kind services comes to \$4158 to be paid to the Greensboro Department of Transportation when the study is completed and he asked Council to approve the \$4158.

Doggett stated it would have an impact to get people to I-73 off Hwy 150. Doggett asked if this had been presented to the Zoning Board and Bruce stated it had not, but he would be glad to have them take a look at it.

Stewart stated he had concerns about the locations of the realignment.

There was some discussion about Armfield Subdivision and their connections with I-73 and Bruce stated this would be something we could hold developers to; that until now there was nothing in place to require them to adhere to the right-of-way.

A motion was made by Jane Doggett to authorize an amount of \$4158.00 for the feasibility study for Summerfield as presented by Bill Bruce. Brown stated that this had been on the books for years and it would take stress off a lot of roads.

The motion carried 4 to 1. Michael Stewart voted no.

Brandt stated he would bring forth a budget amendment for this item on December 6<sup>th</sup>.

**BUSINESS FROM TOWN ADMINISTRATOR:**

**A. Personnel Policy (Cont. from Oct. 4<sup>th</sup>):** Brandt introduced Matt Reece from the Piedmont Triad Council of Governments, who was present to answer questions. Brandt reported there were still some issues on how staff's comp time would be addressed and he reported he would like to speak with staff and bring this back to the December meeting.

Brown asked Reece if we are handling military leave correctly and Reece explained that if someone replaces an employee who is in the military, the town would enter into a contract with them and they would be a temporary employee.

**B. Recommendation from Water Resource Committee:** Brandt reported the Water Committee met on Monday night and he spoke to the two recent public hearings held on water options for the Town. He stated the Town of Oak Ridge has signed an agreement with Aqua NC and are waiting for the State

Utilities Commission approval. Brandt recognized the Water Resource Committee for their work and stated they felt they had gone as far as they could go and are recommending Council consider a contract with Aqua NC such as the one Oak Ridge has signed.

Mayor Barnes stated she had attended the water meeting in Oak Ridge; describing their format; she recommended there be a meeting using that line-up.

Brandt stated the town engineer had written to Guilford County concerning the \$100,000 they have for water/sewer studies and they replied we didn't meet their criteria. Brandt stated it also had some strings attached, but he would try again if that's what Council wanted.

Brandt reported that the Town of Madison is no longer going to build a new water system, but will update their existing plant. He stated they still have water for sale, but wouldn't build a costly plant without knowing they have buyers for the water.

Stewart suggested two public hearings; one in January and one in February to talk further with Aqua NC.

Brown suggested they be held in November and December; with Aqua NC and with an attorney who is knowledgeable about the utilities regulations present. He suggested a separate meeting from the regular monthly Council meeting.

Doggett suggested Thursday, December 1, at the Elementary School if it is available.

Bill Peterson asked if the Council would take action that night, and Barnes replied it was for educational purposes only.

**C. Town Newsletter:** Brandt reported the second quarterly newsletter had been mailed.

**D. Computer/Peripheral Purchases:**

Brandt reported they have located a refurbished HP2500 36" Ink Jet Plotter for \$2883.65; including delivery and installation. He stated the amount budgeted for this item was \$3000 and he asked Council to approve this purchase. Brandt reported it would be very helpful in printing maps, etc. for the Town.

After some discussion, a motion was made by Jane Doggett to approve the purchase of the HP2500 36" Ink Jet Plotter for \$2883.65. The motion was seconded by Michael Stewart and carried unanimously.

Brandt stated he had talked with Bill Stone, a local computer programmer, and he recommends two desktop computers; one for the Town Administrators new office and one to replace the laptop that Bruce currently has. The laptop would be come a floating computer for use at meetings, etc. He reported this system would allow networking of all the computers in the Town Hall and this would make printing better for the plotter and the new copier. He requested an amount not to exceed \$4000 be approved by Council for this purchase.

After some discussion, a motion was made by Jane Doggett to purchase two desktop computers with an amount not to exceed \$4000. The motion was seconded by Mark Brown and carried unanimously.

## **BUSINESS FROM COUNCIL**

### **A. Appoint Dana Luther as Finance Officer:**

After some discussion, a motion was made by Bob Williams and seconded by Jane Doggett to appoint Dana Luther as Finance Officer for the Town of Summerfield. The motion carried unanimously

### **B. 2006 Meeting Dates for Town Council, Zoning Board & Board of Adjustment:**

Brandt presented a proposed schedule for 2006, stating he had added three business meetings for the Town Council for the upcoming year since it had worked so well this past year.

A motion was made by Michael Stewart to adopt the 2006 Meeting Date Schedule as presented by the Town Administrator. The motion was seconded by Bob Williams and carried unanimously.

**BUSINESS FROM MAYOR:** Barnes reported the contract with the Greensboro ABC Board was ongoing and that Katie Alley had stated if this could be approved, it could go before the Greensboro Council meeting on November 15. Bill Trevorow, Town Attorney, stated he had sent an agreement to the Greensboro ABC Board and they had countered with one and he suggested since this would be a long term relationship, it shouldn't be rushed. Trevorow suggested continuing this until the December meeting. Barnes stated they could call a Special Meeting if needed.

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

John Taylor, Movies To Go owner, spoke concerning the lighting at the Summerfield Village Shopping Center. He reported the developer has complied with all state guidelines but some customers claim they can't see the sidewalks after dark. He reported he had been robbed already. He asked council to look at trying to give more parking, look at lighting ordinance and consider larger signage.

Lee Brogden of Summerfield Pharmacy stated he had the same concerns that Mr. Taylor has.

Bob Williams asked about the parking and Bill Bruce stated John Stratton, the developer of the property, is looking at a possible variance and a rezoning to remove the Town Core District Overlay from the property which would permit additional parking.

There was discussion about the drive-through at the Subway taking a lot of room and how tacky it looks for people to have to park on the grass.

Reece Walker, 3905 Waterton Road, reported on ad opportunities with the SYC. He stated they have sponsorships available for \$50 to \$300 if anyone is interested.

Becky Strickland, 3220 Pleasant Ridge Road, read a letter on behalf of John and Peggy McPartlan, 7707 Tannery Road, Summerfield; voicing adamant opposition to the Town Core vision as described in council documents, in the NWO or in any form.

It was noted that Bill Bruce had responded to her by letter, but a copy of that letter wasn't brought to the meeting. Brown stated the letter was very good and suggested a copy be sent with the other mailings to residents in the area.

Barnes stated Council had given directions to the Town Core committee to continue talks; including public meetings on the Town Core.

Bob Flowers asked if water would be brought first to the Town Core. Brown stated he had heard it would go down 220 first. Barnes stated in negotiation with Aqua NC we would include our thoughts on where water should go. Robert Gordon stated he thought it would probably go down Summerifeld Road because of the schools, the fire department and the contaminated areas.

Stewart stated Council couldn't answer that question because no decisions had been made about water coming to Summerfield.

It was stated this council is opposed to mandatory connections for the current residents of Summerfield, but that new developments would be required to hook-up.

Jeanne Plybon, 7403 Whitaker Court, asked about the Sheriff's Substation and was told there had been no discussion since it was "tabled". She asked Michael Stewart directly if there would be a sheriff's substation and Stewart answered that this was a dead issue.

Ginny Luckhardt, 5301 Timber Pegg Drive, asked about the reason for the speakers from the floor guidelines, and Barnes explained the council had received a lot complaints about interruptions and outbursts at the meetings and this is in compliance with the recent state law which requires up to thirty minutes per month be allowed for speakers from the floor.

Luckhardt asked if a future council could change the mandatory connections and Council reported that if we adopt a contract similar to the one Oak Ridge adopted, it is a thirty year contract.

With no further business before the Town Council a motion was made at 10:35pm by Jane Doggett to adjourn. The motion was seconded by Mark Brown and carried unanimously.

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Dena Barnes, Mayor

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Dianne Laughlin, Town Clerk