

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
FEBRUARY 7, 2006
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 the meeting to order at 6:30 pm by Mayor Mark Brown.

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

INTRODUCTIONS:

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

Michael Brandt, Town Administrator
Dianne Laughlin, Town Clerk
Dana Luther, Finance Officer
Jim Lanik, Interim Town Attorney

CONSENT AGENDA:

Strickland motioned to move Town Council Budget Amendment #1 to Item 11C for discussion. The motion was seconded by Crawford and carried 4 to 1. Collins voted no.

A motion was made by Dena Barnes to approve the Consent Agenda which included the minutes of Dec. 1, with corrections; Dec. 20, 2005; minutes of Jan. 3, 2006; Ordinances to Declare Speed Limit Modifications (SR 2321); Ordinance to Rescind Speed Limit (SR 2321); Financial Report; Town Council Budget Amendments and Finance Officer Budget Amendments. The motion was seconded by Bob Williams and carried unanimously.

ANNOUNCEMENTS:

Mayor Brown stated a Budget Hearing been scheduled for Saturday, February 11 at the Community Center from 9:00 am until 12 Noon.

NCLM INSURANCE PRESENTATION COVERAGE

Madeline Henley and Diana Wosiak with the NC League of Municipalities presented an overview of the Town's insurance coverage; specifically property and causality coverage. They distributed copies of current liability coverage and insurance terms to Town Council.

Wosiack stated the town has general liability, employee benefits, business automobile, public officials' liability, crime coverage, inland marine and property coverage; with a total annual premium of \$6155. Wosiak reported the town does not have liquor liability coverage for a street fest, etc. where beer is sold. She reported that currently, only the Town Hall and it contents are covered, but that if the Town puts up street lights , ball field lights, fences, picnic shelters, playground equipment, restrooms, concession stands, they can be added to the coverage.

Strickland asked about coverage protecting against vandalism at the park and was told it would depends on the items covered; and Brown asked if the Town was covered against any problems that might occur at the lake on the park property and was told if the Town provides access such as boating, swimming or a beach, then coverage would have to be added.

Laughlin asked is property stored offsite were covered and was told that property 100 feet from the building is not covered. Brandt asked about valuable papers stored at an offsite facility and was told

there is a limit to this coverage which can be increased if the town wants more offsite coverage.

LOUISE HOFER (Civitan Club)

Hofer stated she and her husband are Certified Club Builders with Civitan International and plan to charter another club in Summerfield. She stated there once was a Civitan Club in Summerfield, but it probably folded because of the age of the participants. She stated she is looking for people to become involved; stating they will focus on developmentally-challenged people. Hofer reported their first meeting will be at Center Methodist Church starting on March 7th at 7pm. She stated they are excited about the potential they see in Summerfield.

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

Steve Atkins, read from a prepared statement opposed the negative reputation that is being given to Summerfield regarding Bill Trevorrow, former Town Attorney, the attorney recruitment process, training expenses, volunteer respect, and the park project. He asked that these issues be address by Town Council.

Gail Dunham suggested Council solicit volunteers from the community when appointing someone to the ABC Board. She stated there were many qualified people in Summerfield who could fill this position. She stated she had asked for a bid summary listing everyone who had submitted a bid on the park and had not received it. She asked Council to do due diligence before spending more money; and she asked about plans for dumps discovered at the park site, clean-up and the beavers.

Dunham stated that Steve Atkins wasn't at the meeting on December 20th and therefore did not know what was presented; and she encouraged all Council members to go to training because that was money well-spent. She thanked Mayor Brown for asking the IOG confirming that a contract employee must be discussed in open session.

COMMITTEE REPORTS:

- A. Community Relations:** Welborn spoke to Founder's Day, which will be held on Saturday, May 20th; including food, music, arts and crafts, and an antiques car show; with the parade beginning at 10:30 am. She invited everyone to attend the Committee meeting on the first Thursday in each month at the Town Hall.
- B. Finance:** Stafford reported that the Town Audit was complete. He stated that a \$250,000 CD had matured and another \$150,000 had been added to it and invested at SunTrust. Next meeting is Monday, February 20, 7 pm at Town Hall.
- C. Historical:** Southard invited everyone to participate in the History Tent at Founders Day. She spoke to the 16 plaques for houses in the Historic District and reported their committee voted to donate \$100.00 to the Welcome to Summerfield sign.
- D. Parks & Rec:** Holub reported they are on schedule financially and physically; although the rain could hold construction back somewhat. He reported they are targeting June or July as the completion date for this phase. He also reported that any debris was hauled to city dumps and there were no harmful materials and the dumps were not found near the playground area but is in the park area where the septic field is located. Holub reported their next meeting will be Thurs. Feb 9th at the Town Hall.
- E. Public Safety:** No report
- F. SYC:** In the absence of Reece Walker, Tammy Welborn reported that 18 kinds attended "Build a Bear" workshop and then took the bears to kids at Cone Hospital. She reported they will have cookbooks for sell at Founders Day and need recipes. They will have a St. Jude's fundraiser on March 16th from 5:30 to 8:30 and they need adults to help this group.
- G. Town Core:** There was no meeting in January.

H. Thoroughfare: Barnes stated the meeting was mostly about changes for the interchange in Greensboro.

I. Water Resource: Gordon reported they are waiting to see what happens with the agreement with Utilities Commission and the Town of Oak Ridge.

PUBLIC HEARINGS:
(OLD BUSINESS)

A. Action on Community Relations Signage (Tammy Welborn)

Welborn reported they have received a couple of sign designs and taken pictures of other signs in the area, but they cannot move forward with the project until council approves the contribution plan. She reported contributors of \$100 or more would have their pictures taken with the sign that is to be displayed at Town Hall. Brown stated this committee has been helped by various businesses in the past and he encouraged Council to approve the project; reiterating no cost to the Town.

A motion was made by Dena Barnes to recognize work done by Tammy Welborn and to adopt the presentation to accept donations; to present signs later; and to have specific signs approved by Town Council at no expenditure of Town money. The motion was seconded by Carolyn Collins and carried unanimously.

B. Town Core Presentation (Carrie Spencer)

Spencer summarized the committee's history, dating back to 1998 when it was conceived. She reported the concept of the Town Core was in the Long Range Plans, described as a non-intrusive mix. She stated they held many public meetings on this matter, and that there were still many unanswered questions. Spencer stated she is asking Council to review the information and endorse the small area plan (the vision for the Town Core). She stated the committee wants the support of Town Council before proceeding further.

Strickland spoke to letters dated March 8 and September 15, 2005 from Bill Bruce stating that there must be water and sewer for the plan to work and Spencer replied that was only one person's opinion.

Barnes stated they were at the five year point since the Long Range Plan was adopted and that maybe they should review the plan next month.

Peggy McPartlan stated she objects to the plan because she is not interested in a Town Core with a walkable area. She stated she feels this plan is creating conflict and causing controversy and that her home is being threatened; that she doesn't want a two or three story parking deck close to her house. She spoke to safety issues such as the Dollar General and Summerfield Village robberies.

Spencer stated they are not conceiving a "downtown", and no 2 or 3 story parking decks; more like a village heart. She stated property owners have rights to use their property and that there is a plan to move Hwy 150.

Jane Doggett stated that not having a plan *is* having a plan.

Crawford asked about response from property owners and Spencer stated the purpose to put the plans out in a formal meeting process.

Mayor Brown suggested this item to be held open for 30 days.

C. Town Council Budget Amendment #1:

1) Remove Strader Road paving from budget-

1010701: Transfer from Fund Balance decrease \$422,078.00 to \$180,452.

8013403: Road Paving-Strader decrease \$253,000 to \$11,374.95

Brandt explained that at last month's meeting there was action by Town Count to move Strader Road from the "to be paved" list and that DOT concurred with this move. He stated that monies allotted for this project would go back into the reserve.

After some clarification by Dana Luther, a motion was made by Becky Strickland to remove Strader Road from the "roads to be paved list" and return the monies designated for that project back to the Fund Balance except for the \$11,000 owed to NCDOT. The motion was seconded by Dwayne Crawford and carried unanimously.

There was a break from 8:07 until 8:15.

(NEW BUSINESS)

- A. CASE #10-05: RS30 to HB. The property is located at 5022 US 220 North in Bruce Township; Guilford County Tax Map 1- 37, Block 907, Parcel 63; owned by Michael Markham, approx. 1 acre.**

Robin Smith presented the case reading from the staff report. There was some discussion about an error listing the rezoning as AG to RS-40 and both the Town Administrator and the attorney agreed it wasn't an issue.

In Favor:

Michael Markham, 6932 Maynard Road, stated that when Highway 220 is widened, it will take his current office and another building on his property. He stated he planned to combine the two into one building and that no service work or anything environmentally unsafe would be done on the site, only retail and wholesale businesses.

No one spoke in opposition.

A motion was made by Dena Barnes to approve Case #10-05: RS30 to HB. The motion was seconded by Bob Williams and carried unanimously.

- B. CASE #11-05: HB (Highway Business)/ Scenic Corridor Overlay/ Town Core-Mixed Overlay *to* HB (Highway Business)/ Scenic Corridor Overlay. The property is located at 4446 US 220 North in Bruce Township; Guilford County Tax Map 1-35, Block 852, Parcel 6; owned by Summerfield Village, LLC, approx. 16.93 acres).**

Robin Smith presented the case, reading from the Staff report. She stated that AG was left out of the letters to the adjacent property owners, but that the rear of the property is zoned AG. She reported on the open house for this project and the public concerns were about which side DOT would acquire for Right of Way. She reported that Staff recommends approval and that the Zoning Board recommended approval 4 to 1.

In Favor:

John Stratton, #2 Elm Ridge Lane, Greensboro, stated he is asking for this to allow an addition sixteen parking spaces in front of the shopping center to benefit customers and merchants. He stated he hopes to have the center full in approximated 30 days. He stated they were limited by the watershed area and met requirement of the Town Core with light fixture, separate fronts for buildings, etc. He distributed photos to Town Council showing ruts in grassy areas where customers are having to park.

Barnes asked if employees are parking behind the building and Stratton replied they were; with Pa Pa John's delivery cars being the only problem.

Williams asked what happens when 220 widens and Stratton replied it would come past the center of their drive lane and he reported they are in negotiations with the State and will go before the State on

April 17th.

John Taylor, business owner, stated the center is close to full and that on Friday and Saturdays it's a mess with people parking everywhere; and he thinks that having cars facing 220 is better than them parking all over.

John Plybon stated there is not enough room to back out of the spaces and that the Ordinance needs to be reviewed.

Michael Markham stated that a facility should be customer friendly and that the town doesn't want another vacant facility.

No one spoke in opposition.

A motion was made by Dwayne Crawford to approve Case #11-05 from HB-Scenic Corridor Overlay/Town Core-Mixed Overlay to HB-Scenic Corridor Overlay. The motion was seconded by Bob Williams and carried unanimously.

Barnes recommended reviewing the Ordinance and Spencer stated that is one of the areas the Town Core Committee is asking to be reviewed.

C. Discussion Appointment of ABC Board Member: Brown stated that this will be an ex officio non-voting member position.

Strickland stated she thought applications should be taken from citizens for this position and that she did not think a council member should be appointed. She recommended an ad in the NWO and in the News and Record.

Barnes stated that since this was a non voting position, a Council member could serve. She reported that someone with business administration and a good background could serve. It was reported the ABC Board meets on the third Thursday at lunch and that anyone can attend.

There was discussion about an interview committee, with council and citizens coordinated with the ABC board for this committee.

By consensus, it was decided to hold this item open for 45 days; Michael Brandt to attend the next Greensboro ABC Board meeting and report back to Town Council at the March meeting.

BUSINESS FROM TOWN ADMINISTRATOR:

A. Town Hall Restoration:

Brandt spoke to serious deterioration of the brickwork at Town Hall; that interior works needs to be done at the Front door, and the whole interior need to be painted. He stated he needs permission from Council to get the building Committee Members to come and look at the building. He stated he had received a bid for \$15,000 to repaint the exterior bricks.

By consensus, Brandt was given permission to get the Brittan Building Committee back together to look at building repairs and to report back at the March meeting. Brandt reported a bid of \$15,000 to re-point the bricks at the rear of the building.

Solid Waste Management Meeting:

Brandt reported a meeting would be held on February 15 at the FNB Building on New Garden Road for 10 to 11:30 am. He stated this would eventually become an action item, with the town being asked to approve their part in this plan; which is mandated by the state.

BUSINESS FROM COUNCIL:

Williams stated money was in the budget to acquire property for recreational area and he wondered why we haven't bought any. Brandt stated the survey results would be available soon and that would dictate what citizens would like to have.

Barnes asked about recent appointees to the Board of Adjustment and Smith reported they had agreed to sit through training first to see if this is what they would like to do.

Strickland asked reported she had been approached by developer to discuss property which was coming up for auction and she wanted to know if this was ethical and proper. Mr. Lanik stated he did not see this as an ethical issue; that it's a legislative, active, lobbying public who want to have access to Council members; that way the public can get feedback from Council. Brandt stated they could not talk about Special Use Permits and Lanik concurred. Barnes reported when anyone approached her in the past, she had stated she would be more comfortable meeting a staff member present.

BUSINESS FROM MAYOR:

A. Selection of Town Attorney:

Brown reported they had solicited and interviewed five attorneys/firms, over a period of three nights. He stated he had spoken by phone or individually to establish a middle ground from Council. The choice they made unanimously was to go with the firm of Moss Mason & Hill. It was reported this firm would charge the same amount (\$125.00) per hour as our previous attorney, with a review at the end of a year.

A motion was made by Carolyn Collins to enter into negotiations with Moss Mason & Hill as Town Attorneys; with Michael Brandt to negotiate with the firm. The motion was seconded by Dwayne Crawford and carried unanimously.

Brown announced that Town Clerk, Dianne Laughlin, has announced her retirement effective April 28, 2006.

A motion was made by Dena Barnes at 9:25 pm to recess to Closed Session as provided under NCGS 143-318.11(A) (6). (Asst. Planner.) The motion was seconded by Carolyn Collins and carried unanimously

CLOSED SESSION:

CONSIDER THE QUALIFICATIONS, COMPETENCE, PREFORMANCE, 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). (Asst. Planner)

Council reconvened at 9:40pm.

A motion was made by Dena Barnes to promote Robin Smith to the position of Town Planner on a probationary period of six months; at a salary of \$40,000 per year, retroactive to February 1, 2006. The motion was seconded by Becky Strickland and carried unanimously.

With no further business before the Town Council, a motion was made at 9:40 pm by Dwayne Crawford to adjourn. The motion was seconded by Carolyn Collins and carried unanimously.

Mark Brown, Mayor

Dianne Laughlin, Town Clerk