

**MINUTES OF THE
SUMMERFIELD TOWN COUNCIL
SUMMERFIELD COMMUNITY CENTER
August 1, 2006
6:30 PM**

NOTE: The official minutes of this meeting 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 6:35 pm by Dena Barnes, Mayor Pro Tem with around 40 citizens attending. She explained Mark E. Brown, Mayor was at the charter meeting of the Summerfield Civilian Club and would arrive as soon as possible. Tonight's meeting will consist of the following: Consent Agenda; Financial Report; 2005-2006 Budget Amendments; Committee Reports; Public Hearings – Rezoning Case #09-06 AG & RS-40 to CU-OSRD and Proposed Text Amendment to Article 6-4.79; Business from Town Administrator (Land acquisition update discussion; Website update discussion; Newsletter discussion/action; Volunteer appreciation card discussion/action; Purchase of Town truck discussion/action); Business from Council – (Appointment of Board of Adjustment member; Resolution establishing compensation for Mayor and Town Council members); Other business – Presentation by Paul Milam; Discussion of VFW letter to develop a Veterans' Memorial; Park celebrations for September 9, 2006 at the Community Center; and closed session.

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

INTRODUCTIONS:

Mark E. Brown, Mayor – late 8:45 pm
Dena Barnes, Mayor Pro Tem
Carolyn Collins, Councilwoman
Dwayne Crawford, Councilman
Becky Strickland, Councilwoman
Bob Williams, Councilman

Michael Brandt, Town Administrator
Robin Smith, Town Planner
Evon Rumley, Town Clerk
Jim Secor III, Town Attorney
Dana Luther, Finance Officer

CONSENT AGENDA:

After minor corrections, the consent agenda (including the meeting agenda, approval of May 17th and June 6, 2006 meeting minutes, finance report, and FY 2005-2006 Budget Amendments as followed):

Town Council Budget Amendment #12

Adjust amounts between line items as follows:

4011304: Finance-Finance Services-Tax Collection increase \$0.00 to \$5,500.00
4012301: Legal-Legal Services-Contract Legal decrease \$49,115.00 to \$43,615.00

NO NET INCREASE IN TOTAL FUNDS

Town Council Budget Amendment #13

1) Debit Unreserved Fund Balance	\$ 3,000
Credit Fund Balance Reserved for Encumbrances	\$ 3,000

2) Debit Unreserved Fund Balance	\$27,000
Credit Fund Balance Reserved for Encumbrances	\$27,000

Finance Officer Budget Amendment #6

1) 3010000 Administration-Operating Expenses 3010200

3010206: Information Technology Expenses increase \$2,250.00 to \$2,550.00

3010207: Internet Expense decrease \$5,000.00 to \$4,700.00

2) 5010000 Public Property/Buildings-Operating Expenses 5010200

5010206: Rental of Offices increase \$1,500.00 to \$1,560.00

5010207: Service & Maintenance Contracts decrease \$2,400.00 to \$2,340.00

3) 6011000 Parks and Rec Committee-Operating Expenses 6011200

6011202: SC Park Landscape Maint. increase \$2,000.00 to \$2,700.00

6011203: SC Park Janitorial Services decrease \$2,500.00 to \$1,800.00

NO NET INCREASE IN FUNDS; ALL FUNDS REMAIN WITHIN
RESPECTIVE FUNCTIONAL AREA

a. FY 2006-2007 Budget Amendments As Follows:

Town Council Budget Amendment #1

Adjust amounts between line items as follows:

1) 6013401: Historical Committee-Historical Comm.-Capital Outlay-HD Property
Markers increase \$0.00 to \$3,000.00
1010704: Transfer from Fund Balance Reserved for Encumbrances increase
\$0.00 to \$3,000.00

2) 6011401: Community Resources-Parks and Rec Committee-P&R-Capital
Outlay increase \$0.00 to \$27,000.00
1010704: Transfer from Fund Balance Reserved for Encumbrances increase
\$3,000.00 to \$30,000.00

Finance Officer Budget Amendment #1

2010000 Governing Body Expenses-Governing Body Personnel 2010100

2010103: Dues & Subscriptions increase \$8,000.00 to \$8,150.00

2010101: Workers Compensation decrease \$400.00 to \$250.00

NO NET INCREASE IN FUNDS; ALL FUNDS REMAIN WITHIN
"GOVERNING BODY PERSONNEL" FUNCTIONAL AREA

Bob Williams, Councilman made a motion to approve the consent agenda, seconded by Becky Strickland, Councilwoman, and carried unanimously.

ANNOUNCEMENTS:

Dena Barnes, Mayor Pro Tem stated the Northwest Triad Merchants Association is hosting a golf tournament on September 29 with the proceeds to be used for scholarships (all interested in playing should contact Tammy Welborn).

Bob Williams, Councilman stated the Summerfield ABC store's grand opening was scheduled for August 8, 2006.

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

Susan Bray, Superior Court judge candidate, introduced herself and volunteered to answer any questions from the public.

COMMITTEE REPORTS:

- A. Community Relations:** No report
- B. Finance:** Ronnie Stafford stated \$600,000 was deposited at 5.34 percent and the next meeting is August 21, 2006.
- C. Historical:** No report
- D. Parks & Rec:** Sue Beeson, Chair stated a park opening celebration is planned on September 9, 2006 from 4 until 7:30 p.m., contingent upon council's approval. Music, a fire truck, greyhounds, face painting, and many other activities are planned. Hot dogs, cake and ice cream will be served at the free event. George Holub, volunteer park project manager stated that volunteers will be needed in order to complete the park by that date and the workday is planned for August 12, 2006, but work can also be scheduled for other times. He also stated to volunteer for Parks & Rec contact Summerfield town hall.
- E. Public Safety:** Michael Brandt, Town Administrator stated the Dot will be installing new 35 mph speed limit signs on lower Summerfield Road and on Strawberry Road between Highway 150 and Scalesville Road. He stated paving is ongoing on Summerfield Road, and the Lewiston Road Bridge is expected to remain out until at least the end of August 2006.
- F. SYC:** No report; cookbooks are still available and can be purchased at Purgasons, Sheila Williams' Gallery, the Center Grove Grill or by contacting Diane Laughlin.
- G. Thoroughfare:** No report

PUBLIC HEARINGS:
NEW BUSINESS:

Rezoning Case #09-06 AG & RS-40 to CU-OSRD. The property is located at 5364 (near) Northwest School Rd, being Guilford County tax map # 10-652, block 987, parcel 2. The parcel, located in Bruce Township, is approximately 29 acres and owned by the Brame Corporation.

Robin Smith, Town Planner presented the case, reading from the Staff Report. She stated the applicant has proposed 20 lots on the property, leaving 19 acres as open space. The 20 lots would add 200 trips per day to Northwest School Road; in 2003 DOT traffic count for Northwest School Road was 4,900. She stated applicant's plan would dedicate property around Moore's Creek, the surrounding 100 year floodplain and wetlands to open space, ensuring conservation of environmentally easily damaged areas. Just a few people attended the open house; none left a written statement and those who attended expressed disappointment that the property would be developed at all. The traffic was discussed, but the group agreed that this amount of development would make little difference. The applicant did offer a trail easement which will tie into a proposed trail leading to Northwest High School. One street will be designed as a short end and will provide a connection to future development.

The zoning board voted unanimously (4-0) to approve this rezoning on the long range plan's priorities of preserving natural resources and scenic areas and providing recreation for Summerfield citizens.

Becky Strickland, Councilwoman asked for the planner's recommendation. Robin Smith, Town Planner explained that she no longer makes recommendations per the zoning board's request, and merely provide an analysis.

Proponents:

John T. Higgins, Jr., attorney spoke on behalf of the Brame Corporation. He stated the tract connected to one in unincorporated Guilford County, which will become part of this development that had been investigated and asked what part in the county had been annexed by Summerfield. He stated there could be 57 to 59 lots when both tracts are combined; the developer is limiting the total number to 52. The town's scenic corridor could be extended to include Northwest School Road, a 75-foot setback had been proposed. 60 percent of the parcel would be left as open space, and this property would be better used if it were clear-cut and farmed. He stated the plan represented good stewardship of the land and any development of the tract in Summerfield would be possible on rezoning of the adjoining county tract.

Opponents:

None

Council Discussion:

Dena Barnes, Mayor Pro Tem stated she is related to the family that owns property adjacent to this one, but she personally has no financial interest in that property. William (Bill) Hill, Town Attorney advised Dena Barnes, Mayor Pro Tem that there was no conflict so she could vote.

Dwayne Crawford, Councilman made a motion to accept the Rezoning Case #09-06 to CU-OSRD for low density and preserving Summerfield's Character, seconded by Bob Williams, Councilman and carried unanimously.

Proposed Text Amendment to Article 6-4.79 of the Summerfield Development Ordinance. The proposed change regarding Turkey Shoots will be available at Town Hall after July 24, 2006.

Robin Smith, Town Planner presented the case, reading from the Staff Report. Staff recommends the Text Amendment request Article 6-4.79 to be adopted which would allow turkey shoots to operate no later than 9 p.m. on Thursdays and 10 p.m. on Fridays and Saturdays, and no alcohol would be allowed on the site. A Special Use Permit would be required, which would be renewable annually. The Board of Adjustment would hold a public hearing and would be required to prove Finding of Fact, including that the event did not endanger the public welfare, health, and safety. The fee for the permit would be \$850 the first year and \$100 each year thereafter.

Becky Strickland, Councilwoman asked who would enforce the no alcohol agreement. Robin Smith, Town Planner stated if the applicant were found to be in violation, their permit would be revoked, and then the evidence would have to be brought before the Board of Adjustment.

Proponents:

Jane Doggett stated she thought it was good for the town to take more control as the population grows, but the turkey shoots should not be stopped.

Opponents:

None

Council Discussion:

Dwayne Crawford, Councilman stated there had been a meeting between the Wildlife Club and the resident who had brought the complaint about their turkey shoot, and asked about the outcome. Michael Brandt, Town Administrator explained that although they may have settled their issues, turkey shoots could be held in agriculturally-zoned areas and any resolution did not address whether the council should change the ordinance. Dwayne Crawford, Councilman stated that while the changes would encourage good behavior of participants, they would not require it. Robin Smith, Town Planner stated the permit renewed every year would address that issue and if there were problems, the permit would not be renewed. William (Bill) Hill, Town Attorney stated before there was a restrained right to issue a permit; where as now, good behavior is required.

Becky Strickland, Councilwoman made a motion to accept the Proposed Text Amendment to Article 6-4.79, seconded by Carolyn Collins, Councilwoman and carried unanimously.

9. BUSINESS FROM TOWN ADMINISTRATOR:

a. Land acquisition update discussion

Michael Brandt, Town Administrator stated he was trying to make the process as open as possible and clarified that there had been no contact with the property owners of some of the parcels. Nine preliminary sites had been identified based on acreage, topography, access to major roads, relative isolation from residential development and whether there is a willing seller. Site A – Oak Ridge Rd.; Site B – Brookbank Rd. (northeast corner of Armfield subdivision adjacent to Brookbank); Site C – Brookbank

Rd. (Southwest Intersection of Banning Road (local road) and Brookbank Road (major thoroughfare); Site E – Summerfield Road; Site G – Scalesville Road; Site I – Highway 220. Three of those had been discarded for various reasons. Properties on Dubach, Summerfield and Scalesville Roads, two on Brookbank Road, and one on Highway 220 had been identified. Michael Brandt, Town Administrator stated there were other properties if town council wanted him to investigate to let him know; ball fields would be lit. He asked council if they had any preferences or reservations about any certain properties to let him know. Dena Barnes, Mayor Pro Tem stated the town had been looking for 20 acres of flat land, with few houses nearby.

Carolyn Collins, Councilwoman asked how close to I-73 a site on Brookbank Road would be, and Michael Brandt, Town Administrator pointed out the location on the map. Bob Williams, Councilman asked why the town had not heard back from the Armfield developers on their donation of land for ball fields. Michael Brandt, Town Administrator stated the next step would be to try and look at some of the sites. Members of the parks and recreation committee at the meeting were willing to help with the site selection, as were the Summerfield Recreation Association and conversations with area builders about possible help with clearing of the land.

Bob Williams, Councilman asked if town council had not discussed withholding occupancy permits in the Armfield development for prevent further stalling, and Michael Brandt, Town Administrator stated yes, although they had supposedly met the previous week to discuss the issue. Bob Williams, Councilman reminded the council that the development had been approved several years ago and included the condition that property for a park would be donated to the town. Michael Brandt, Town Administrator will come to the town council about any information regarding the land acquisition.

b. Web site update discussion

Michael Brandt, Town Administrator stated there were problems with keeping the current Web site updated and keeping it stable. He believed the town should be doing more with their Web site than was currently being done; for example: the town council could keep the current Web site contract with a local Web site developer or go with the N.C. League of Municipalities, who has a contact with a company who develops Web sites for small towns like Summerfield.

Dwayne Crawford, Councilman stated the town needs to look at the hosting service, which could be gotten for \$9 to \$10 dollars per month, and decide whether if we want to redesign the current site. He stated the town could do a lot of the maintenance. The current contract is open ended, and the NCLM site is based on a one time setup fee dependent on the number of plug in used, and then a monthly fee to maintain the site. Michael Brandt, Town Administrator stated he would get more information and present an update at the September meeting.

c. Newsletter discussion/action

Michael Brandt, Town Administrator stated it was time to start on another newsletter if the town planned to do it quarterly, which would be aimed at coming out in October. He stated he would like to get out the information about the park opening, list of sponsors, donors, and volunteers and had information on the Web site. Town council suggested an update on the athletic fields, land purchase, information on phase II of the park, and comprehensive plan information.

Dena Barnes, Mayor Pro Tem stated she felt this was enough information to justify the newsletter and Michael Brandt, Town Administrator stated he had a citizen volunteer to help him.

d. Volunteer appreciation card discussion/action

Michael Brandt, Town Administrator stated for the last three years, the town has sent holiday cards to all volunteers on town committees. He stated he would like to use a local artist and asked town council whether to move forward on this project. Town council discussed their different alternatives not to exceed \$250.00.

Dwayne Crawford, Councilman stated he would write a check to cover the cost of the holiday cards and Dena Barnes, Mayor Pro Tem stated the cards had been divided up among council members to sign them in the past.

e. Purchase of town truck

Michael Brandt, Town Administrator stated Mark E. Brown, Mayor had located a used 1999 Ford F250 truck through the state surplus. He stated the truck is a ¾ ton, V8, 4-wheel drive with 37,000 miles and is being sold for \$10,000 (includes a bed liner and towing package). There are additional items needed to upgrade the towing package so it could tow the town generator. The insurance would be \$600 per year plus uninsured motorist coverage. He would like to work with the county so those who intended to drive the vehicle could take a safe driving course.

Ron Washburn, chair of the public safety committee stated the truck was requested by his committee to be a multi-use vehicle. He stated the truck would be used by that committee to transport the generator in case of emergency, the parks and recreation committee and others would also use it at the judgment of council. Dena Barnes, Mayor Pro Tem asked if the truck met the criteria to be able to tow the generator, and Ron Washburn stated yes.

Michael Brandt, Town Administrator and Ron Washburn both agreed on requiring drivers to take a safe driving course. The town staff would use the truck as needed, consent use by the committees, plus transport the sound equipment to meeting each month. The truck expense had been approved in the budget for 2006-2007 and would stay at Town Hall when not in use.

Carolyn Collins, Councilwoman made a motion to purchase a town truck, seconded by Bob Williams, Councilman. The motion passed 3-2, Carolyn Collins, Bob Williams, Dena Barnes, for with Becky Strickland, Councilwoman and Dwayne Crawford, Councilman against this motion.

Business from Council:

a. Appointment of Board of Adjustment member

Dena Barnes, Mayor Pro Tem stated the applicant was Mike Stewart.

Dwayne Crawford, Councilman made a motion to appoint Mike Stewart as a regular member of the BOA, seconded by Bob Williams, Councilman and carried unanimously.

b. Resolution establishing compensation for Mayor and Town Council set at \$150 per month for Town Council members and \$200 per month for Mayor.

The town council had approved the expense in the budget which would pay the mayor \$200 per month and council members \$150 per month.

Becky Strickland, Councilwoman made a motion to pass the resolution with an effective date of July 1, 2006, seconded by Dwayne Crawford, Councilman and carried unanimously.

Bob Williams, Councilman stated George Holub, volunteer project manager had saved the town in the excess of \$100,000 for the town park. He proposed hiring George Holub to oversee the park and the construction of athletic fields for \$15 per hours. He stated he asked the Parks and Recreation committee to discuss among themselves and with staff and bring a recommendation back to council.

Dena Barnes, Mayor Pro Tem stated she did not think money had been set aside in the budget. Council's discussion was to send to the parks and recreation committee for a recommendation, finance committee and finance officer for further discussion. Dwayne Crawford, Councilman donated \$1200.00 to the ball fields.

Becky Strickland, Councilwoman stated she had unintentional voted to approve the meeting agenda, but was opposed to a presentation on a Planned Unit Development in light of the fact that the town was about to work on a comprehensive plan.

Dwayne Crawford, Councilman stated the zoning board members had difficulty finding their way around on properties, and inquired about a GPS system. Robin Smith, Town Planner stated it would not be used enough to justify the expense.

Mark E. Brown, Mayor arrived at the meeting 8:45 pm

7. OTHER BUSINESS

a. Presentation on Planned Unit Development zoning.

Mark E. Brown, Mayor stated Paul Milan, local developer and representative from the Triad Real Estate and Building Industry Coalition, had asked to make a presentation in February but was unable to do this until now.

Paul Milam stated he wanted permission to draft a PUD ordinance. This ordinance could help prevent further urban sprawl and traffic problems, while providing more affordable housing opportunities and more friendly neighborhoods. He stated many of the larger sites might not be good for residential or commercial, but with a PUD, mixed uses would be allowed with commercial in front in the high traffic areas and residential in the back. This ordinance should be in place so that consideration could be given to it when the town is working on its comprehensive plan. He asked council to think about the people who wanted to sell their land in the next 18 months but did not have this option because their property was not good for one sole use.

Paul Milam stated he was not asking town council to approve an ordinance but agreed to let him put together a draft with the help of staff and a committee. Becky Strickland, Councilwoman stated the PUD Ordinance was premature since Town Council had voted to do a new Comprehensive Plan. Michael Brandt, Town Administrator told Paul Milam his request was premature because of the new Comprehensive Plan but that Mr. Milam did not want to wait 12-18 months to bring this idea forward so this was put on the Agenda. Becky Strickland, Councilwoman asked and elicited from Mr. Milam that this all boils down to money; some property owners want to sell their land for commercial/retail prices rather than current market values as zoned. She objected to the PUD Ordinance now which might control the direction of the Comprehensive Plan; and stated that if the PUD Ordinance was done now and a development started before the Comp Plan is complete it would be double work. The Comp Plan does not recommend PUDs and then the Town would be stuck with this regardless. She stated Paul Milam volunteer to serve on the Comprehensive Plan committee.

Mark E. Brown, Mayor stated Paul Milam and a committee put together a draft which might network with the comprehensive plan.

Robin Smith, Town Planner stated a comprehensive plan and PUD ordinance don't have to overlap, and whoever is hired to do the comprehensive plan could also help develop a PUD ordinance. Paul Milam

stated the ordinance would require the developer to describe special what would go on a site. Becky Strickland, Councilwoman stated a PUD ordinance would create a duplication of effort and it should tie in with the comprehensive plan (she is not in favor of a developer writing our ordinances).

Mark E. Brown, Mayor suggested town council consider this matter and discuss it at the next meeting. William (Bill) Hill, Town Attorney had advised the council not to hear opinions, as all citizens would have the opportunity to speak when a public hearing is advertised.

b. Discussion of VFW letter to develop a Veteran’s Memorial in Summerfield Community Park

Mark E. Brown, Mayor stated he had received a letter from the VFW, saying they would like to create a Veterans’ Memorial in the new park. He asked the parks and recreation committee to discuss this issue and give information at the next meeting.

c. Approval of Park celebrations for September 9, 2006 at the Community Center from 4:00 pm until 7:30 pm.

Sue Beeson, Chair asked town council’s approval for the September 9, 2006 celebration, and stated the committee could use help in planning (around 500 people are expected). Bob Williams, Councilman asked about the money situation and Sue Beeson, chair stated the committee was trying to work within their budget. Jay Copeland, SRA President stated he was working to have food donated for this celebration and would do the grilling.

d. Closed session: 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 office or employee as provided under NCGS 143-318.11 – Evon Mills Rumley

A motion was made by Dena Barnes, Mayor Pro Tem to go into closed session (9:22 pm – 9:52 pm) in which the employee was discussed. The motion was seconded by Carolyn Collins, Councilwoman and carried unanimously.

The power had flickered off and on during the town council meeting, during the closed session the power went off.

Mark E. Brown, Mayor stated information from the report to council with discussion among council members. He stated the closed session had been completed. A motion was made by Dena Barnes, Mayor Pro Tem, seconded by Dwayne Crawford, Councilman and carried unanimously.

With no further business before Town Council a motion was made to adjourn by Dena Barnes, Mayor Pro Tem at 9:52 pm. The motion was seconded by Dwayne Crawford, Councilman and carried unanimously.

Mark E. Brown, Mayor

Evon Rumley, Town Clerk