



C O U N C I L M I N U T E S J U L Y 8, 2 0 1 4, 6 : 3 0 P M, S F D C O M M U N I T Y C E N T E R

The meeting was called to order at 6:34pm by Tim Sessoms. The invocation was led by Mark Walker, followed by the Pledge of Allegiance. The following were present:

Council

- Tim Sessoms, Mayor
- Dena Barnes
- Mike Adams
- Alicia Flowers
- Dianne Laughlin
- Elizabeth McClellan

Staff

- Scott Whitaker, Town Manager
- William Hill, Town Attorney
- Katrina Whitt, Finance Officer
- Valarie Halvorsen, Town Clerk
- Julie Reid, Town Planner

CONSENT AGENDA

The following agenda changes were recommended: 1. Motion by Flowers to remove item 10.F. "Short-term rental of house at 7818 Summerfield Road," seconded by McClellan, carried unanimously; 2. Motion by McClellan to remove item 12. "Closed session...", seconded by Flowers, carried unanimously; 3. Motion by Adams to continue item 10.C. "Potential Finance Committee vacancy/consideration of Dwayne Crawford" to August meeting, seconded by Flowers, carried unanimously; 4. Suggestion to continue item 8. "Public hearing regarding rezoning case #02-14"; McClellan, Flowers, and Adams were against continuing and Hill stated consideration of continuance should be made when the item came up instead.

Barnes motioned to approve the consent agenda as amended, including the meeting agenda, open and closed session minutes for 6/10, the financial report, and Finance Officer budget amendment #3 (FY13-14). The motion was seconded by Adams and carried unanimously.

ANNOUNCEMENTS

Whitaker announced an 8/11 volunteer appreciation event.

PUBLIC COMMENTS

Gail Dunham of 5805 Snow Hill Drive stated the last appointment to the Finance Committee did not comply with town policy, and felt the process was flawed regarding rezoning case #02-14.

Don Wendelken of 3406 Windswept Drive stated the agenda was not posted to the town website until the day before the meeting and noted the importance of getting the information to citizens in a timely manner.

Congressional candidate Mark Walker asked for support during the Tuesday run-off.

Adrian Williamson of 3901 Lewiston Road stated the N-Focus work on the town's development ordinance revisions was past due, and he also appreciated consideration of alternate trail routes.

Kathy Flanigan of 7532 Strawberry Road said Golden Antiques announced an upcoming community yard sale, silent auction, and story time and dedication of a little free library 8/15.

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Jeff Roy of 7395 Henson Forest Drive is a SRA board member and coach who noted that increasing fees would put a huge strain on the volunteer-run organization.

SRA president Barry Wesoly suggested that if the organization paid normal rental fees, it would amount to a 451% increase.

Sessoms responded that two years prior, the SRA was given a special rate that had been left in place since that time, and noted the approved fee schedule would make fees the same for all SAP renters.

Town Attorney Hill interjected that the applicant for the Bandera Farms rezoning (RZ #02-14) requested to have his application withdrawn, so the matter would not be heard. He did note that by withdrawing, the developer had preserved his right to re-file the same application or propose a new application immediately if he desired.

Geoffrey Gregg of 6108 Percheron Trail stated Summerfield is being divided by highway projects and was concerned that projects near highways will become precedent. He expressed disappointment in the rezoning notification process and alleged the timing of the meetings might have been intentional to push the request through during holiday period.

Mark Mortensen of 6110 Percheron Trail believed it is wrong that the developer was not present at the meeting when the citizens were.

Dwayne Crawford of 1106 Highway 150 West felt the SRA should be treated equally with other SAP renters, particularly as only 25-30% of the players are Summerfield residents.

Frank Ficca of 6300 Wescott Drive noted development in Summerfield could not be stopped, but citizens needed to know what the districts require and applicants should provide adequate information so the average citizen can understand the applicant's request.

Jeff Norden of 6306 Wescott Drive asked why the rezoning would come before the town council if the Zoning Board voted to deny the request; Reid responded that the Zoning Board makes a recommendation to the Town Council, the Town Council holds a final public hearing, considers the recommendation, and then decides the matter.

Lee Haywood of 7203 Macintosh Place said better notification of public hearings is needed and recommended e-mail notice; Reid discussed notification requirements.

Kristin Norden of 6306 Wescott Drive expressed concern with the notification process, and the late withdrawal of the rezoning request by the applicant.

Recess from 7:39 to 7:51

COMMITTEE / EVENT REPORTS

- A. **Finance:** Whitt stated there was no July meeting; the next meeting would be 8/18.
- B. **Historical:** No report.
- C. **Public Safety:** Wendelken stated the next meeting would be in September.
- D. **Trails and Open Space:** Whitaker said the next meeting would be in August.

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PUBLIC HEARING/ACTION REGARDING REZONING CASE RZ-02-14 (requested change: AG/GWA to CU-OSRD/GWA; location: 5366 Bunch Rd.; parcel: 0149332)

Removed from agenda per the earlier-noted applicant request

PUBLIC HEARING/ACTION REGARDING REZONING CASE RZ-03-14 (requested change: RS-40/WCA to CU-OSRD/WCA; location: 4455 Hamburg Mill Rd. and "near 4455 Hamburg Mill Rd."; parcels: 0145506 and 145565)

Reid presented the case, described the conditions offered by the developer, and noted an additional condition that was proposed by the Zoning Board and agreed to by the developer that would increase the depth of the open space along Carlton Dairy Road to ninety-five feet (95'). The Zoning Board voted unanimously to recommend approval with the conditions proposed, including the additional condition of adding twenty-five feet (25') to the existing seventy-foot (70') street buffer along Carlson Dairy Road.

Sessoms opened public hearing at 8:09pm

Proponents

Applicant Bill Yearns of 17 Granville Oaks Court said the proposal was for 12 lots on 18 acres, which met the density requirements for a WCA district. He noted the soils were good and there were no slopes exceeding 15%. He did not anticipate any off-site septic systems and said the proposed single-family homes would be in the \$350,000 range. He would both develop the land and build the houses himself to ensure quality and continuity. He stated the proposal fit with sections 6.1, 6.4, and 11 of the Summerfield Comprehensive Plan.

Frank Ficca of 6300 Wescott Drive stated this is what the town should expect for a rezoning – a clear presentation of what is being proposed.

Gail Dunham of 5805 Snow Hill Drive was a proponent, but felt the process was not fair to citizens. She noted the presentation was a site plan, which should have public review in addition to staff review.

Dwayne Crawford of 1106 Highway 150 West asked about the number of units allowable.

Opponents

Susan Phillips of 5148 Carlson Dairy Road was concerned with traffic and water.

Proponent rebuttal

Yearns read a letter from Matthew Griffith who supported the rezoning request.

Sessoms closed the public hearing at 8:26pm.

Council discussion

There was discussion about the number of allowable units, wells, traffic counts, and open space being provided. The conditions proposed were reviewed, including side-loading garages. A motion was made by Barnes to approve rezoning case #03-14 RS-40/WCA (Residential District {40,000

square feet} in a Water Supply Watershed Critical Area, Tier 3 {portion} and Tier 4 {portion}) to CU-OSRD/WCA (Open Space Residential District by Conditional Use in a Water Supply Watershed Critical Area, Tier 3 {portion} and Tier 4 {portion}), with the conditions offered by the developer (listed below) including adding "side-loading" to #4, and "eastern" to #10.

1. All dwellings will be constructed on a brick foundation with crawl space.
2. The exterior covering of all dwellings shall be brick, stone, or cementous siding (e.g. Hardiboard). Vinyl shall be used only in soffits, porch ceilings and dormers.
3. There shall be no manufactured or modular dwellings.
4. All dwellings will have a two-car garage.
5. The minimum heated square footage shall be 2,000 square feet for a one story and 2,400 square feet for a two-story.
6. Outbuildings shall be of new construction and the exterior covering shall be in keeping with the aesthetics of the main dwelling.
7. Driveways shall be paved in concrete.
8. No above ground pools shall be allowed.
9. All mailboxes shall be of uniform design.
10. Landscape will be added to fill in along the western property line to provide continuous screening.
11. Preserve mature oaks on existing house lot and restore/upgrade the house on the existing lot.

Furthermore, this conditional approval is consistent with the town's adopted Comprehensive Plan because of low density development, policy 6.2 and 6.4, and the proposal is in the public interest because of low density development and it supports watershed regulations. The motion was seconded by Laughlin and carried unanimously.

BUSINESS FROM TOWN MANAGER

- A. **Elimination of Athletic Park Advertising and Sponsorship Policy (POL-2010-003):** *removed from agenda.*
- B. **Committee re-appointments (Finance and Public Safety):** There was brief discussion about the general committee ordinance (O-2008-002); Adams requested that potential changes to the ordinance be addressed at a future meeting. Hill's interpretation of the ordinances was that both Ronnie Stafford and Rick Hall could serve through the remainder of the fiscal year, but not after that, and stated that Dwayne Crawford's application did not meet the deadline in order to be considered yet.

Flowers motioned to reappoint Ronnie Stafford to the Finance Committee until the end of the fiscal year, seconded by Adams, which carried unanimously.

Flowers motioned to reappoint Rick Hall to the Public Safety Committee until the end of the fiscal year, seconded by McClellan, which carried unanimously.

- C. **Potential Finance Committee vacancy/consideration of Dwayne Crawford:** *removed from agenda*
- D. **Salvage/demolition contractor approval (Gordon property flag building, blacksmith shop):**
Adams motioned to award the bid to Anthony's Grading & Hauling for an amount not to exceed \$11,500. The motion was seconded by Flowers and carried unanimously.
- E. **Finance Committee investment recommendation:** Following brief discussion, McClellan motioned to accept the Finance Committee's investment recommendation and additional investment recommendation by Whitaker and Whitt. The motion was seconded by Flowers and carried unanimously.
- F. **Short-term rental of house at 7818 Summerfield Rd.:** *removed from agenda*
- G. **Reports, updates, or comments:** Whitaker reported the following: the 6/28 fishing event and music-in-the-park event were both very well attended and successful; a tentative meeting was scheduled with the residents of The Farms at Summerfield to discuss the proposed trail; painting and lexan replacement at town hall had been completed; and I-73 construction was underway with a target completion date of April 2017.

REPORTS, UPDATES, OR COMMENTS FROM MAYOR AND COUNCIL

Sessoms enjoyed the fishing and music-in-the-park events, estimating there were 500 or more evening attendees for the music venue. Barnes stated the next MPO meeting would be 7/23.

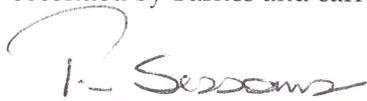
CLOSED SESSION to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee as provided under NCGS 143-318.11(a)(6): *removed from agenda*

OTHER BUSINESS

Adams inquired about the development ordinance rewrite; Hill stated he was about 25% through the legal review and that he and Reid continued to carefully make revisions.

Regarding fees paid by SRA to use the Summerfield Athletic Park, Sessoms recommended giving additional time to the SRA to make plans to transition to the current fees. Flowers and McClellan stated they should not be treated differently than other renters, particularly since only about 29% of the players were currently Summerfield residents, which is a much lower percentage than other groups. McClellan stated Parks & Rec manager Jeff Goard had worked hard toward making the park more revenue-neutral and it would be disingenuous to have different rules for particular rental groups.

With no further business, a motion was made at 9:41pm by Adams to adjourn. The motion was seconded by Barnes and carried unanimously.



Tim Sessoms, Mayor



Valarie R. Halvorsen, Town Clerk