



C O U N C I L M I N U T E S D E C E M B E R 1 3 , 2 0 2 2 , 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 6:30pm by Mayor Sessoms. Mayor Pro-tem DeVaney provided the invocation, followed by the Pledge of Allegiance.

The following were present:

Council

- Tim Sessoms, Mayor
- Lynne Williams DeVaney, Mayor Pro-tem
- Jeff Davis
- John Doggett
- Janelle Robinson
- Reece Walker

Staff

- Scott Whitaker, Manager
- Dee Hall, Finance Officer
- Brad Rentz, Planning Manager
- Sarah Tibbetts, Clerk
- Bob Hornik, Attorney

CONSENT AGENDA

Robinson motioned to approve the consent agenda with one amendment, postponing of agenda item 15.A (Board appointments/re-appointments) until January. DeVaney stated they had 2 applicants who have been interviewed and that is why the topic was on the agenda. The motion was seconded by Walker and carried 3-2, with DeVaney and Doggett opposed. The consent agenda consisted of the meeting agenda, open session minutes for the 11/10 meeting, and dog park fencing.

ANNOUNCEMENTS & RECOGNITIONS

Whitaker announced that Republic Services will be increasing their rate by 4.05% effective 1/1/23. The new quarterly rate for residential trash and recycling services will be \$56.37. Hall stated the contract allows them to raise their rate with the cost of inflation.

Sessoms announced that Parks and Rec Director Jeff Goard recently celebrated his 10-year anniversary. Sessoms spoke very highly of Goard and thanked him for his hard work and continuous effort on behalf of the town and community, noting he is on call day and night, and even weekends and takes great pride in what he does. Whitaker stated when he interviewed Goard for the position all those years ago that he was "the right person at the right time" and spoke of what a blessing he is to the town. Each council member recognized Goard and thanked him. Some notable comments were: "I don't know how the town would function without him;" "He brings enthusiasm to the office and is always smiling;" "He is an un-sung hero for the town;" and "He is the glue that holds us all together day to day." Sessoms and Council presented Goard with a plaque.

Sessoms also announced that Grant Page with the Summerfield Fire District was retiring after 26 years of fire service. Page's mother spoke on his behalf and stated what an outstanding individual he is and that he began his fire career at age 15. He's run numerous marathons, raised thousands of dollars for Victory Junction camp, and recently obtained his MBA. She thanked the community for being such a wonderful example and role models for her son. Walker and Robinson presented a plaque to Page for his service.

Sessoms also noted that Walker had recently celebrated his 10-year anniversary with the fire department and asked about a lifesaving award. Walker gave credit to his crew for their work and the lifesaving award.



EMERGENCY SERVICES REPORTS

- A. Summerfield Fire District:** In November, the Summerfield Fire District ran 29 fire-related calls, 83 EMS-related calls, and 31 "other" calls. The total for October was 143 incidents. They also installed 25 child safety seats.
- B. Guil. Co. Sheriff's Dept.:** In November, the sheriff's office responded to a total of 270 calls within Summerfield town limits resulting in 22 formal case reports.

ATTACHMENTS FOR COUNCIL'S INFORMATION

Council received the following information with no action taken: committee/board minutes and the November financial report.

PUBLIC COMMENTS

Gail Dunham, 5805 Snow Hill Drive, wanted the upcoming hearing for the text amendment case to be continued till January and spoke negatively about it. She asked Council to direct the Manager to fill her public records requests and spoke against budget items being in the consent agenda.

Don Wendelken, 3406 Windswept Drive, questioned why Council postponed consideration of the applicants for the boards and committees who had been interviewed. He stated that the town asked for volunteers and consideration was being delayed.

No further public comments.

COUNCIL, MANAGER, AND/OR ATTORNEY RESPONSE TO COMMENTS

No comments.

PUBLIC HEARING/ACTION RE: REZONING CASE RZ-04-2022 (requested change: AG to RS; location: 6317 US-185; parcel: 147438)

Rentz presented the application, oriented everyone to the property and surrounding parcels, and explained the Planning Board's recommendation to approve the request to rezone 3.75 acres of a 43.9-acre parcel from agricultural to residential.

The applicant Corey Petty spoke on behalf of his family and explained their move to Summerfield with the intention to build homes with family members. He thanked Council for its consideration.

Sessoms opened the public hearing.

Mike Smith, 8550 Hudson James Road, stated his property backs up to the property in question and asked the applicants what they were planning on building on the property, to which the applicant explained they were building 3 single-family homes.

With no further public comments, Sessoms closed the public hearing at 7:11pm.

Davis motioned to approve the application as presented stating its consistency with the town's adopted Comprehensive Plan due to two Policy Areas: Community Character Preservation and Appropriate Housing and Residential Development. He stated it is reasonable and in the public interest because it maintains or promotes the public health, safety, and general welfare; complies with all regulations and standards of this ordinance and other applicable regulations; it does not substantially hurt adjoining or abutting property value; and will be in harmony with the area in



which it is to be located and with the general plans for the land use and development of the Town of Summerfield and its environs. The motion was seconded by Walker and carried unanimously.

PUBLIC HEARING/ACTION RE: REZONING CASE RZ-05-2022 (requested change: CU-LB to CZ-BN; location: 3818 & 3820 Oak Ridge Rd; parcels: 146957 & 146957)

Rentz presented the application, oriented everyone to the property and surrounding parcels, and spoke of citizen concerns that were voiced at the Informational Meeting and discussed the Planning Board's recommendation for approval with the additional excluded uses listed in the packet. The request is to rezone 2.8 acres from the conditional use, limited business district to conditional zoning business district.

The applicant, Lisa Waynick, spoke to Council and explained that when she bought the property originally in 1993 it was for a business she and her mother owned. In the past, she had the property rezoned because an equestrian business wished to purchase it. It was rezoned to fit those needs and unfortunately that vision never came to fruition, which left the property with use limitations.

Sessoms opened the public hearing at 7:19pm.

Gail Dunham, 5805 Snow Hill Drive, questioned the UDO process stating that the parcel in concern is zoned business in a residential area. She voiced concerns of possible property uses.

David Gilchrist, 3010 Christian Light Road, Fuquay-Varina, disclosed he was the fiancé of the applicant and that he and Lisa went over the uses page by page with the Planning Board and excluded uses. He noted that some uses were left because the parcel itself is self-limiting, using the example of a golf course. He stated he wants the land to be used to the highest and best use. He spoke of his respect and support of what the town is trying to achieve and thanked the Council for its time and consideration.

With no further public comments, the public hearing was closed at 7:24pm.

Davis stated he was on the Planning Board when the applicant first came before them to rezone and asked Rentz if he had any other suggestions or recommendations to remove from the use tables. Rentz stated he felt the Planning Board did a thorough job combing through the possible usages.

Gail Dunham asked to rebut a statement made and Sessoms stated that the comment period was closed. Hornik also asserted that the public hearing closed at 7:24pm.

DeVaney motioned to approve the application as presented stating its consistency with the town's adopted Comprehensive Plan due to two Policy Areas: Appropriate, Limited Commercial Development and Community Character Preservation. She stated it is reasonable and in the public interest because it maintains or promotes the public health, safety, and general welfare; it complies with all regulations and standards of this ordinance and other applicable regulations; and does not substantially hurt adjoining or abutting property value. The motion was seconded by Davis and carried unanimously.

PUBLIC HEARING/ACTION RE: UDO TEXT AMENDMENT CASE TA-05-2022 (text amendment request for Article 4, Section B.6.(c) Scenic Corridor Area Overlay)

Whitaker opened by explaining to Council that often staff finds inconsistencies within the UDO or items that need further clarification. The Scenic Corridor Area (SCA) Overlay section needed improvements in several areas. The corridor width was a major part of the text amendment. Whitaker explained that the wide width of the current corridors impacted development along



unintended roads and gave an example of how US-220 restrictions affect Summerfield Road, which was well beyond the subject corridor. He gave a couple of examples and used a map to demonstrate. The Planning Board recommendation differed from the staff's in that the Board wanted to maintain a 1500-foot buffer (on each side) along I-73; it concurred with the reduction to a 750-foot buffer (on each side) for NC-150 and US-220.

Rentz presented the staff report and explained each proposed change, along with the Board's recommendations. Hornik stated his concerns that a 1500-foot buffer along I-73 could prevent a property owner from developing their land due to not being able to cut down or remove trees. He stated he does not feel this is a good practice as it could be perceived as a "taking of property."

Sessoms opened the public hearing at 7:50pm.

Gail Dunham, 5805 Snow Hill Drive, stated that presented UDO changes allow and creates an environment for high density development.

Teresa Perryman, 7401 Greenlawn Drive, remembered when the 1500-foot corridor was decided, noted the work invested into the UDO, and questioned the need for changes. She suggested taking the 750-foot buffer from the right-of-way instead of the center of the median.

David Couch, 3203 Pleasant Ridge Road, spoke about the UDO section and the topic raised a lot of concern and questions. His design team was looking further into the text and strongly encouraged staff and Council to consider it closely. He commended Rentz and Whitaker on being tasked with attempts to improve the section. He stated his properties could be impacted by the current wording and wanted it on record that he supports the scenic corridor but feels verbiage from other UDOs should be investigated in order to best maintain aesthetics as intended.

Dwayne Crawford, 1106 NC-150 West, questioned the wording within the text amendment. He asked what trees a homeowner could cut down and who would need to grant approval.

Jane Doggett, 7986 Highfill Road, stated concerns related to trees and questioned how one would control or enforce someone removing trees from their own property. She also felt some of the wording wasn't "business friendly."

Beth Kaplan, 7979 Highfill Road, stated the I-73 corridor width sounded like eminent domain, which was concerning to a farming family. She also felt there is nothing "scenic" about US-220 and that the focus should be more on design to best create and/or maintain attractive corridors.

With no further public comments, the public hearing was closed at 8:04pm.

Whitaker clarified that the intent wasn't to completely draft a new SCA Overlay section, but to improve upon the existing section. Davis stated when the Planning Board originally created this section in the UDO it was never meant to prevent landowners from cutting down trees, but to simply be mindful of vegetation. There was no biased or ill-willed intent, they just hoped to keep the area looking rural.

After lengthy discussion, Sessoms stated he felt Council had reached an impasse and suggested someone make a motion to approve or deny the request. Rentz suggested approving the text amendment with the exception of overlay buffer distances and sending it back to the Planning Board for further review.

Walker motioned to approve the request as presented with the following changes: starting on page 4-12, leave (c)(1), (2), and (3) as written; on page 4-13 in (d)(1), strike the last sentence that restricts recreational activities to passive recreation and maintain item (2)(d); on page 4-14, maintain the



current corridor width in item (e)(2)b. The motion was seconded by DeVaney and carried unanimously.

BUSINESS FROM TOWN MANAGER

- A. Board appointments/reappointments:** *(Council removed this item when approving the agenda.)*
- B. A&Y Greenway (South) project (current design contract):** Stewart is the design and engineering firm contracted with for this project. Whitaker stated that Stewart hasn't been engaged and focused on the project in a long time, turn-over among project managers has been an issue, and the town needs a change. He would be discussing with NCDOT and GUAMPO how to proceed with the project. Whitaker wanted to keep Council informed and asked for permission to terminate the existing contract and pursue another vendor. The Council agreed by consensus to allow Whitaker to pursue other avenues for the project.
- C. Reports, updates, or comments:** Whitaker expressed interest in looking closer at external security at town hall. Council agreed by consensus.

CLOSED SESSION

DeVaney motioned to move to closed session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege as provided under NCGS 143-318.11(a)(3) and to instruct the public body's staff or negotiating agents concerning the price and other material terms concerning real property as provided under NCGS 143-318.11(a)(5). The motion was seconded by Davis and carried unanimously.

Closed session began at approximately 9:09pm and the meeting resumed into open session at 10:19pm.

BUSINESS FROM MAYOR & COUNCIL

- A. Laughlin Professional Development Center:** Whitaker stated this was on the agenda to continue discussions from last month's Council meeting when it was confirmed that there was a pending offer. Sessoms stated the negotiations are continuing.
- B. Water infrastructure/steps (update regarding sourcing):** Whitaker spoke in regard to Council's directive at last month's meeting to speak with surrounding jurisdictions about providing public water. He had met with Rockingham County contacts and they cannot supply the needed capacity (per the Freese & Nichols feasibility study). He spoke with the City of Greensboro, which are not a promising option for water based on a conversation with the Water Resources Director. Whitaker also met with Reidsville contacts. Reidsville expressed a willingness to supply water, although the proposed route/alignment of water mains is not a short or direct route, which would prove costly. He had not spoken with Winston-Salem/Forsyth County or Stokesdale yet. Council asked Whitaker to speak to Winston-Salem/Forsyth County and to also contact Madison to explore any possibilities there.
- D. Reports, updates, or comments:** DeVaney thanked staff and the Summerfield Merchants Association for making the Christmas tree lighting event great. She also thanked Bill Donnell and Chris Farris for the additional shelving installed for the Historical Committee. She said that the recent survey distributed that says: "Summerfield residents, your voice matters" did not come from the town; a marketing group employed by the Villages of Summerfield Farms was behind the survey.

Doggett thanked the town for the Christmas tree lighting event.



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Whitaker commended the new Town Clerk on a continuous job well done and announced that she passed her NC Public Notary exam and congratulated her.

OTHER BUSINESS

None.

Upon motion by DeVaney, seconded by Davis and carried by a unanimous vote, the meeting was adjourned at 10:35pm.

Tim Sessoms, Mayor

Sarah Tibbetts, Town Clerk