



C O U N C I L M I N U T E S     M A R C H 9, 2021, 6:30PM, SFD COMMUNITY CENTER

The meeting was called to order at 6:30pm by BJ Barnes. Tim Sessoms provided the invocation, followed by the Pledge of Allegiance. It was noted that attendance at the meeting was closed to the public due to the pandemic and state-of-emergency declarations but was being live streamed on the Town's Facebook page.

The following were present:

Council

BJ Barnes, Mayor  
 Tim Sessoms, Mayor Pro-tem  
 Lynne Williams DeVaney  
 John O'Day  
 Teresa Pegram  
 Reece Walker

Staff

Scott Whitaker, Town Manager  
 Dee Hall, Finance Officer  
 Lance Heater, Town Clerk  
 Bob Hornik, Town Attorney  
 Chris York, Planning Manager

CONSENT AGENDA

Upon motion by DeVaney, seconded by Sessoms and carried by a vote of 4-1 (Pegram opposed), the consent agenda was approved. It consisted of the meeting agenda and open session minutes of 2/9 and 2/13. Pegram read the following statement, which Council agreed to include in the minutes: *"I vote nay to the agenda because most of the agenda is being done while hiding behind the Covid wall. There has been no public involvement, no public input, etc. The town government is spending taxpayer's money at a fast rate. Please re-read our town charter. We are supposed to be fiscal conservatives, but where do we really stand for our citizens. Why all the rush on these projects? Can they not wait for the pandemic to be over? I want this statement put into the town minutes. Fiscal conservatism is a political and economic philosophy regarding fiscal policy and fiscal responsibility advocating low taxes, reduced government spending and minimal government debt."*

ANNOUNCEMENTS

Whitaker reminded those present that the UDO Public Information Session and Open House was scheduled for 3/18 as a virtual meeting using Zoom. Walker announced the Oak Ridge Horse Show would be held 4/2-3.

EMERGENCY SERVICES REPORTS

- A. Summerfield Fire District:** During February, the department responded to 55 fire calls, 57 EMS calls, and 80 "other" calls for a total of 192 incidents.
- B. Guil. Co. Sheriff's Dept.:** During February, the department responded to 121 calls in District 1.

ATTACHMENTS FOR COUNCIL'S INFORMATION



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

### **PUBLIC COMMENTS**

Dwayne Crawford, 1106 NC-150 West, revisited a request submitted in 3/2017 to amend the Comprehensive Plan related to maximum density and asked for a transactional history and financial accounting of the fee which was submitted in conjunction with the request. Barnes asked Whitaker to document the response to Crawford's inquiry on the Town's website.

Gail Dunham, 5805 Snow Hill Drive, spoke in opposition to item 13C ("deposit and reimbursement agreement") relating to the proposed Summerfield Farms Village Concept.

Don Wendelken, 3405 Windswept Drive, stated that he had submitted an application for a future vacancy for Town Manager and said there had been little public input on issues before the Council.

**COUNCIL, MANAGER, AND/OR ATTORNEY RESPONSE TO COMMENTS** – *None.*

### **PRESENTATION RE: BEAUTIFICATION OF US-220 PEDESTRIAN TUNNEL**

Council heard a presentation from Evan Edwards, a senior at Northwest High School and Sarah Willoughby, a senior at Northern High School, regarding a joint art project that will involve painting the US-220 pedestrian tunnel connecting to the A&Y Greenway. Members of Council and the Mayor expressed appreciation for the students' work on this project.

### **PUBLIC HEARING/ACTION REGARDING REZONING CASE RZ-01-21**

Barnes noted that the case involved a request from the Town to rezone property located at 7818 Summerfield Road (known as the northern Gordon tract) in order to allow for the construction of the new Summerfield Town Hall. York reviewed the staff report which was an application to rezone the property from RS-30 (Single-Family Residential), and TCD-R (Town Core District – Residential) to CU-GB (Conditional Use – General Business). York reviewed the proposed limited uses of the property: government office, library, museum, public park, trails, public recreation facility, swimming pool, sports & recreation club, church, police station, emergency shelter, cistern for fire protection, post office, accessory uses, newsstand, and temporary events.

Barnes declared the public hearing open at 7:12pm. There were no written public comments received. Don Wendelken stated that there was not sufficient opportunity for the public to comment on the rezoning. Barnes stated that he had received no citizen comments on the proposal. Pegram stated that she had received comments in opposition and that the Town owned other more suitable property. Barnes declared the public hearing closed at 7:18pm.

Whitaker noted that the Zoning Board had considered the matter on 3/1 and 3/4 and unanimously voted to recommend approval of the application as presented. DeVaney made a motion to approve the request because it is consistent with the Town's adopted Comprehensive Plan because it promotes appropriate, limited commercial development and is reasonable and in the public interest because it maintains or promotes the public health, safety, and general welfare and will be in harmony with the area in which it is to be located and with the general plans for land use and



development of the Town of Summerfield and its environs. The motion was seconded by Sessoms and carried by a vote of 4-1 (Pegram opposed).

### **BUSINESS FROM TOWN MANAGER**

- A. BOA appointments:** Upon motion by O'Day, seconded by DeVaney and carried by a vote of 4-1 (Pegram opposed), Andrew Broom was appointed to the Board of Adjustment to a term ending 3/24. Upon motion by O'Day, seconded by DeVaney and carried by a vote of 4-1 (Pegram opposed), Barbara Mendoza was appointed to the Board of Adjustment to a term ending 3/24. Upon motion by O'Day, seconded by Sessoms and carried by a unanimous vote, Anthony Donato was appointed as an alternate member of the Board of Adjustment to a term ending 3/24.
- B. TOS Committee appointment:** Upon motion by DeVaney, seconded by O'Day and carried by a unanimous vote, Council appointed Ginger Lambrecht to a term ending 7/23 on the Trails & Open Space Committee.
- C. Personnel Policies and Manual (*revision of adverse weather policy*):** Whitaker stated that a change was being requested to "Article IX, Section 24. Adverse Weather Conditions" to not require employees to use vacation or sick leave if Town Hall were closed for an entire day due to adverse weather conditions. Upon motion by Sessoms, seconded by O'Day and carried unanimously, the revision was approved. Whitaker also asked for a change in Article IX, Section 7 to eliminate the requirement that vacation leave be taken in increments of no less than 4 hours. Upon motion by Walker, seconded by O'Day and carried unanimously, the change was approved. Barnes suggested that a policy be added which would allow for up to 8 hours of personal time off to be granted before any time would be charged to either vacation or sick leave.
- D. Summerfield Community Center (*Application & Rental Agreement*):** Whitaker presented a draft application and rental agreement regarding the Community Center for Council approval. There was a wide-ranging discussion of the regulation of uses. It was the consensus of Council that the policy be revised, and that further review be given by Council prior to final approval. In response to a request from Barnes, Whitaker provided an update on renovations to the Center, stating that roof replacement was complete and associated repairs to guttering and soffits were underway. There was a discussion of possible renovations to the restrooms in order to achieve ADA compliance. After discussion, it was the consensus of Council that DeVaney, Sessoms, and O'Day would work with staff to develop a consensus for consideration by the full Council on needed maintenance and repairs to the facility.
- E. Reports, updates, or comments:** In response to a question from Pegram, Whitaker stated that no applications had been sought or received for the Land Use Plan steering group because it was not a committee falling under the Consolidated Committee Ordinance and that instead, at Council's direction, the group was put together by staff with at least representation from the Zoning Board, Trails & Open Space Committee, and Historical Committee, and that would each suggest one of their respective members for inclusion. Whitaker reported: 1) the Planning Department was reviewing possible emergency cut-throughs on I-73; 2) the Parks and Recreation Director was reviewing more efficient lighting for both parks; 3) there would be a presentation at the April Council meeting about Bandera Farms and an associated PARTF grant; and, 4) a virtual



community meeting was scheduled for 3/23 regarding the Parks, Trails & Open Space Master Plan with the purpose of sharing community survey data and potential recommendations.

*A recess was declared at 8:20pm. The meeting was called back to order at 8:34pm.*

### **BUSINESS FROM THE MAYOR AND COUNCIL**

- A. Extraterritorial Jurisdiction (ETJ):** Whitaker noted that Council had voted 1/21 to proceed with the establishment of an ETJ as presented. He then outlined steps involved in moving forward with the process, which included: making a formal request to the Guilford County Board of Commissioners and obtaining approval of a resolution authorizing the Town's extension of its zoning jurisdiction over the area proposed; holding a public hearing on the ETJ after receiving Guilford County approval; and, holding a public hearing on establishing zoning districts within the ETJ. Pegram expressed opposition to establishment of the ETJ, citing concerns over representation and increased costs, suggesting that citizens within the ETJ could seek voluntary annexation as an alternative. It was noted that there would be mandatory citizen representation from the ETJ on the Zoning Board and Board of Adjustment. Walker suggested that a phased ETJ plan be approved, with the first area to be south of NC-150 West and to the west of Spencer-Dixon Road. He moved that this plan be pursued. The motion was seconded by Sessoms and carried by a vote of 4-1 (Pegram opposed).
- B. Water and fire protection (*continued planning re: tanks and locations*):** Whitaker noted that this issue had been last discussed approximately one year ago and that the "2016 Wooten Fire Water Supply Study" was updated afterward regarding cost estimates. Also, a resolution was previously adopted requesting an "Allocation of Area Water Authority Funds for Local Water Investment" from the State. That request was answered as part of HB 1163 which allocates approximately \$1.1M each to Summerfield, Oak Ridge, and Stokesdale. A memo from Walker was presented regarding possible locations and costs of tanks and related equipment. Walker asked that Council give staff direction to identify properties and costs to get into position to implement the improvements. Sessoms made a motion to direct staff to work with the Fire Department to identify more specific locations for water points and identify land acquisition costs. The motion was seconded by DeVaney. Pegram questioned the Town's involvement in developing the infrastructure and expressed concern regarding ongoing maintenance expenses, stating that these should be responsibilities of the Fire Department. By a vote of 4-1 (Pegram opposed), the motion carried.
- C. Deposit and reimbursement agreement:** Upon motion by Sessom, seconded by O'Day and carried by a vote of 4-1 (Walker opposed), Council deferred consideration of this item (which would assess costs incurred by the Town regarding the Summerfield Farms Village Concept to the developer) to the April meeting.
- D. Uniform Development Ordinance (UDO) rewrite (*date of next public meeting*):** It was the consensus of Council that the Zoning Board public hearing on the UDO be scheduled for either the week of 4/12 or 4/19.
- E. Reports, updates, or comments:** O'Day noted that the Greensboro MPO meeting was scheduled for 3/10. DeVaney reported on the PTRC executive committee meeting. Walker recognized NC



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State basketball player Elissa Cunane, a resident of Summerfield, for being named to the Consensus First Team All-ACC team for the second season in a row.

### OTHER BUSINESS

Sessoms asked if Council would consider relieving the Revolution Academy charter school of its obligation under the agreement regarding the grant of a Certificate of Occupancy to not allow students to attend in person classes until all road improvements were completed. Sessoms stated that he would accept responsibility for working with the school to ensure that traffic safety concerns were addressed, noting that the school was able to accommodate up to 250 vehicles at a time on its property and that provisions had been made to have contracted traffic safety personnel on hand during periods of arrival and dismissal. Sessoms made a motion to nullify the agreement and work with the school while NCDOT was completing the road improvements. The motion was seconded by O'Day and carried by unanimous vote. It was agreed that students would be allowed to begin attendance on 3/11.

Upon motion by Walker, seconded by O'Day and carried by a unanimous vote, the meeting was adjourned at 10:06pm.

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*BJ Barnes, Mayor*

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*Lance G. Heater, Town Clerk*