



C O U N C I L M I N U T E S A P R I L 1 1 , 2 0 2 3 , 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 6:31pm 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

Upon motion by Robinson, seconded by Walker and carried unanimously, the consent agenda was approved with one amendment to omit item 11.B. The consent agenda consisted of the meeting agenda, open session minutes for 2/21, 3/4, 3/14 and closed session minutes for 3/4, 3/14, an audit contract with Cindy Randolph CPA, and a request to change the regular meeting time for the Finance Committee from 7pm to 6pm.

ANNOUNCEMENTS AND RECOGNITION OF MILLIE HOFFLER-FOUSHEE

Whitaker announced the initial line-item budget draft would be ready 4/17, 5/5 would be the season's first movie-in-the-park event, and 5/6 would be the opening of Summerfield Paw Park. DeVaney stated the Northwest Farmers Market would re-open 5/3 at Greensboro Performing Arts.

Sessoms, staff, and Council presented Millie Hoffler-Foushee a plaque for her 18 years of service as a member of the Finance Committee as well as Chair of the Committee. Millie had served since 2005 but was moving out of town and could no longer remain on the Committee. Fellow member and new Chair Vicky Bridges thanked Millie for her guidance and service. Hall thanked Millie for her service and friendship over the years. Whitaker stated what a loss it was for the town to lose Millie and her institutional knowledge. Millie spoke about the great sadness she felt having to leave the town, stating she would greatly miss Summerfield and the people she had met.

EMERGENCY SERVICES REPORTS

- A. Summerfield Fire District:** In March, the Summerfield Fire District ran 23 fire-related calls, 60 EMS-related calls, and 59 "other" calls. The total for October was 142 incidents. They also installed 13 child safety seats and 3 smoke detectors.
- B. Guil. Co. Sheriff's Dept.:** In March, the sheriff's office responded to a total of 305 calls within town limits resulting in 13 formal case reports being filed.



ATTACHMENTS FOR COUNCIL'S INFORMATION

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

Ginger Lambrecht, Chair of the Trails & Open Space Committee, urged Council on behalf of the Committee to approve the contract with Kimley-Horn to complete the A&Y Greenway. Most TOS members were also in attendance and stood in support of Lambrecht's request.

PUBLIC COMMENTS

Gail Dunham, 5805 Snow Hill Drive, spoke against constructing a water tower on town-owned property and against hiring an attorney for de-annexation matter stating a lack of current litigation.

Teresa Perryman, 7401 Greenlawn Drive, spoke against hiring a Project Manager and stated the Council was not keeping the public informed enough.

Paul Roberts, 5809 Crutchfield Farm Road, spoke on behalf of the "Summerfield Goodfellas" group who are advocating for public safety, particularly in the event of a rolling black-out or emergency circumstance.

Brett Lamberth, 3228 Pleasant Ridge Road, asked Council to fight de-annexation efforts and not to negotiate with David Couch or his team.

COUNCIL, MANAGER, AND/OR ATTORNEY RESPONSE TO COMMENTS

None.

BUSINESS FROM MANAGER

- A. A&Y Greenway (South) RFQ for Late-Stage Planning & Engineering (Kimley-Horn proposal):**
 Whitaker reminded Council that an RFQ had been filed to secure a new firm to finish the work. He covered the proposal basics and Kimley-Horn Project Manager Jeff Moore was present to address any questions. Whitaker explained the current alignment is the same map that's been on the town website since 2018, except a modification near the mobile home park had been made. He explained that the \$425,252.35 fee was for Kimley-Horn and the \$195,500.00 fee was for the right-of-way firm, and both totaled \$620,752.35. He clarified that the right-of-way firm fee does not include any property or easement purchase, and Moore elaborated further. Whitaker and Moore explained that Stewart had completed approximately 65% of the design, and Moore explained that some of Stewart's work would need be redone for various reasons. It was noted that the town had paid 91.2% of Stewart's contracted work and the invoicing led staff to believe work had been performed to that level. Sessoms stated he wanted to meet with Stewart and Hornik to discuss the work not completed and negotiate getting money back to the town. Moore stated that the firm would deliver the town monthly proof of work that matches the billing due to the circumstances with Stewart.

After lengthy discussions regarding pricing and deliverables from Kimley-Horn to the town, Walker made a motion to approve contract CON-2023-004 entitled A&Y Greenway (South) Late-Stage Planning & Engineering with Kimley-Horn. This contract and the attached proposal details all work at a price of \$425,252.35, plus right-of-way acquisition services at actual costs,



which are not to exceed \$195,500.00. The potential cost would be \$620,752.32. The motion was seconded by DeVaney and carried unanimously.

- B. Reports, updates, or comments:** Whitaker stated the town was securing quotes to replace two copiers in town hall, adding that they are outdated and parts are difficult to find. He mentioned the Planning Department's project of scanning records was progressing and should be completed soon. Rentz mentioned the topic of volunteer annexation to Council, noting 15 applications from residents wanting to annex into town limits. Council and staff agreed that considering all the applications at once would be the best practice. This topic would be added to the agenda for the May Council meeting for Council to discuss the plan and timeline. Whitaker stated that the Gordon Hardware Building was not under contract yet, but that PNC was working with a potential buyer; however, the Martin House was under contract with a due diligence period extending through late spring.

BUSINESS FROM MAYOR & COUNCIL

- A. Potential legislative de-annexation (*hiring Michael Thelen, Womble Bond Dickinson, LLP*)**
 Sessoms stated that citizens had asked Council to hire an attorney with experienced in land use to fight the threat of de-annexation. He opened the floor for Council discussions. DeVaney mentioned that she was impressed with Thelen's knowledge of the town and current affairs. Walker stated he wished for all communication between Council and Thelen to go through Sessoms as a "gatekeeper" due to the high hourly rate, and there was consensus to do so. Robinson motioned to hire Michael Thelen with Womble Bond Dickinson. The motion was seconded by DeVaney and carried unanimously.
- B. Committee appointment/re-appointment (*Trails & Open Space*):** DeVaney stated that she, Doggett, and Trudy Whitacre (TOS Committee member) interviewed Dylan Barrick and were recommending that he be appointed to TOS. Walker motioned to approve Dylan Barrick to the Trails & Open Space Committee for a 2-year term until 7/25. The motion was seconded by Davis and carried unanimously.
- C. "Vision 2040 Land Use Plan":** Walker stated he felt the LUP would need major changes if the de-annexation of Couch's properties were to happen. Whitaker stated the Committee was eager to make its recommendation and forward it to the Planning Board, which would ultimately have a public hearing prior to Council's public hearing. Davis suggested that the LUP Steering Committee finalize its recommendation and then adoption be put on hold. Walker motioned to direct the LUP Steering Committee to complete its work, and then the Plan would be on hold until the de-annexation issue is resolved. The motion was seconded by Doggett and carried unanimously.
- D. Reports, updates, or comments:** DeVaney mentioned she did not support raising taxes, which was brought up at the last meeting, and elaborated that she would prefer a one-time, 1-cent rate increase to cover attorney fees; she did not support a permanent increase. Sessoms thanked the Town of Oak Ridge for writing a resolution opposing efforts to weaken local zoning, signed by Mayor Ann Schneider. He thanked Schneider for her support. The resolution would be added to the town's website for public viewing.



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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), the motion was seconded by Davis and carried unanimously.

A motion was made by DeVaney to return to open session, the motion was seconded by Davis and carried unanimously.

OTHER BUSINESS

None.

ADJOURNMENT

Walker motioned to adjourn the meeting, the motion was seconded by Robinson and carried unanimously. The meeting ended at approximately 9:56pm.

Tim Sessoms, Mayor

Sarah Tibbetts, Town Clerk