



C O U N C I L M I N U T E S A U G U S T 1 3 , 2 0 1 9 , 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 Gail Dunham. Pastor Larry Kirby, of Summerfield First Baptist Church, provided the invocation, followed by the Pledge of Allegiance. The following were present:

Council

Gail Dunham, Mayor
 Dena Barnes, Mayor Pro-tem
 Dianne Laughlin
 John O'Day (via telephone)
 Teresa Pegram
 Reece Walker

Staff

Scott Whitaker, Town Manager
 Dee Hall, Finance Officer
 William Hill, Town Attorney
 Lance Heater, Town Clerk
 Chris York, Town Planner

Upon motion by Barnes, seconded by Laughlin and carried 4-1 (Pegram opposed), O'Day was allowed to participate in the meeting by telephone, in accordance with Policy 2016-001. O'Day explained that he was away from the Town due to business needs.

CONSENT AGENDA

Pegram made a motion to amend the closed session minutes of 5/14 to attach an email from Dunham regarding the minutes. The motion died for lack of a second. Upon motion by Walker, seconded by Barnes and carried by a vote of 4-1 (Pegram opposed), the consent agenda was approved. It consisted of the meeting agenda, closed session minutes of 5/14, open and closed session minutes of 6/11 and Council budget amendment #1.

ANNOUNCEMENTS

Whitaker reminded those present of the music-in-the-park event scheduled for 8/24. Dunham noted upcoming Zoning Board UDO work sessions scheduled for 8/19 and 8/26.

EMERGENCY SERVICES REPORTS

- A. Summerfield Fire District:** During July, the department responded to 25 fire calls, 73 EMS calls, and 23 other for a total of 121 incidents.
- B. Guil. Co. Sheriff's Dept.:** During July, the department responded to 153 calls in District 1. There were 5 part-one crimes reported during the month. It was announced that George Moore was the new commander for District 1.

COMMITTEE / BOARD / EVENT REPORTS

- A. Finance:** Hall reported that the Finance Committee had met 6/17 and had discussed the budget and investments.
- B. Historical:** Gary Brown reported on the Committee's 6/27 and 7/25 meetings.



C. Trails & Open Space: Jane Doggett reported that the Committee is working on a scope of services prior to vetting vendors for the Trails & Open Space master plan.

ATTACHMENTS FOR COUNCIL'S INFORMATION

Council received the following information with no action being taken: committee minutes, event after-action reports, and the financial reports for June and July.

PUBLIC COMMENTS

Mike Lopez, 3104 Annry Drive, reported on the first meeting of the Citizen Advisory Committee (CAC) of the Piedmont Triad Airport Authority's (PTAA's) "PTI Noise Compatibility Planning Study." Four quarterly meetings are planned with the next meeting scheduled for October.

Beth Kaplan, 7979, Highfill Road, expressed appreciation regarding the US*220 sidewalk project and to the Town's volunteers.

Dwayne Crawford, 1106 NC-150 West, stated that statutory requirements relating to the rezoning scheduled for later in the agenda had not been met.

Zowie Knight, 1106 NC-150 West, stated that candidates for office were not following statutory requirements regarding the placement of political signs.

Rich Schlobohm, 6162 Lake Brandt Road, noted that he was a candidate for Town Council in the November election and reviewed his background and platform.

Sean Dwyer, 5902 Mary Hall Court, noted that he was a candidate for Town Council in the November election and reviewed his background and platform.

Danny Nelson, 2500 Pleasant Ridge Road, noted that he was a candidate for Mayor in the November election and reviewed his background and platform.

Dana Luther, 5406 Deer Trail Road, noted that she was a candidate for Town Council in the November election and reviewed her background and platform.

COUNCIL AND MANAGER RESPONSE TO COMMENTS

Pegram and Dunham criticized O'Day for not responding promptly to a public records request for his Town business emails contained in a personal account. O'Day responded that he was nearing completion of his response.

PUBLIC HEARING/ACTION RE: REZONING CASE RZ-02-19

Dunham and Pegram stated that the notice of public hearing sign which is posted on properties prior to rezoning public hearings did not meet the requirements of state statute. Whitaker and Hill disagreed. Whitaker noted the sign was enlarged and, he believed improved, when it was changed approximately 4.5 years ago.

A recess was declared at 7:45pm. The meeting was reconvened at 7:50pm.



York stated that the request was to rezone parcels at 3683 and 3685 Oak Ridge Road from RS-40 to CU-GB and a parcel at 3687 Oak Ridge Road from AG to CU-GB. York noted the rezoning would complete a tract bordered by I-73, Deboe Road, and Oak Ridge Road, consisting of approximately 86 acres, all of which would be zoned CU-GB. The request by the applicant included all permitted uses in the General Business District, except the following uses which would not be permitted:

<i>Junked motor vehicles</i>	<i>Landfills of any kind</i>
<i>Shelter for the homeless</i>	<i>Fraternity or sorority (university or college related)</i>
<i>Psychiatric hospital</i>	<i>Taxi terminal</i>
<i>Bus Terminal</i>	<i>Warehouse, general storage, enclosed</i>
<i>Cemetery or mausoleum</i>	<i>Truck & utility trailer rental and leasing, light</i>
<i>Country club with golf course</i>	<i>Boat sales</i>
<i>Theater, adult</i>	<i>Bookstore, adult</i>
<i>Massage parlor, adult</i>	<i>Motor vehicle sales</i>
<i>Equipment repair, light</i>	<i>Boat repair</i>
<i>Live entertainment business, adult</i>	<i>Electronic gaming establishments and internet sweepstakes</i>
<i>Ice manufacturing</i>	<i>Fortune tellers and astrologers</i>

The applicant submitted the following development conditions in addition to those specified in the Summerfield Development Ordinance:

- 1) All parcels under this rezoning (approximately 6.71 acres) shall be combined with earlier zoning (approximately 79.28 acres) to allow a comprehensive review of all improvements and requirements of the ordinance and other regulations. This will include the design of proposed water source and wastewater treatment and stormwater provisions for the entire combined site.
- 2) A comprehensive master plan will be prepared and submitted for approval for the entire site (approximately 86 acres) using the site plans requirement for required submittals.
- 3) The construction of the project may be phased, provided adequate utilities, parking, landscaping and access is constructed with each phase. Revisions to the master plan may be approved by the Town of Summerfield, if such should become necessary or desirable.
- 4) A comprehensive traffic analysis will be submitted, if required, with the master plan to identify appropriate access points and necessary improvements or traffic controls to minimize impacts to the community.
- 5) A master sign plan will be prepared and submitted with the comprehensive master plan for approval.
- 6) The front setback from existing road(s) will be increased from fifteen feet (15') to thirty feet (30') to allow for planting and preservation of shade trees, provided no additional right-of-way dedication is required.
- 7) Tree preservation will be addressed as a part of the master plan. The owner and developer agree that tree removal will not occur until a comprehensive master site plan and a tree conservation plan has been submitted and approved by the Town of Summerfield. The tree conservation plan will include an inventory of the types of trees,



the approximate age of the trees, the number and location of the trees and an assessment of the physical condition of the trees. The owner and developer agree to make every effort to include significant existing tree stands or any extraordinary individual tree into their development plans.

York stated that staff recommended approval of the request and noted that the Zoning Board had conducted a public hearing 6/24 and had recommended Council approval.

Dunham asked for applicant comments. Doug Stimmell, of Stimmell Associates representing the developer, Summerfield/Oak Ridge Properties, was present to support the request.

Dunham declared the public hearing open at 8:00pm. No speakers spoke in favor of the request. Dwayne Crawford, 1106 NC-150 West, expressed opposition to the proposal, stating he believed Council action on 10/13/13 related to a rezoning request for properties adjacent to these properties was not legal. There being no other public comment, Dunham declared the public hearing closed at 8:05pm.

Pegram asked the applicant to add an exclusion for high-density apartments. York and Hill noted that this type of development is not allowed under the Development Ordinance.

Laughlin made a motion to approve the request as submitted with the conditions proposed by the applicant. Laughlin stated the request was consistent with the Summerfield Comprehensive Plan's Policy 1: "Appropriate, Limited Commercial Development" and is reasonable and in the public interest because it: 1) complies with all regulations and standards of the Development Ordinance and other applicable regulations; 2) does not substantially hurt adjoining or abutting property values and is a public necessity; and, 3) 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. This motion was seconded by Barnes and carried by a vote of 4-1 (Pegram opposed).

BUSINESS FROM TOWN MANAGER

- A. Consolidated Committee Ordinance revisions:** Upon motion by Barnes, seconded by Walker and carried unanimously, ORD-2015-002 was amended to add Section C12 regarding service recognition for Committee members leaving service.
- B. Mobile town generator:** Whitaker stated the Town's emergency generator was in need of a repair estimated at \$4,000. The generator was purchased in the late 1990s primarily to power emergency shelters at Summerfield Peace UMC and Center UMC. Whitaker said the Town had been in contact with Don Campbell, Director of Guilford County Emergency Management, who stated that in the event power was needed for an emergency shelter in Summerfield, the County would be able to provide it; therefore, this particular need for the generator is no longer valid. Upon motion by Walker, seconded by Barnes and carried unanimously, Council approved selling the generator through appropriate means dictated by statute and/or R-2010-010.
- C. Signage within NCDOT right-of-way:** York recommended that Council ask NCDOT for authority to enforce sign regulations within its right-of-way (ROW). He explained that the Town often receives complaints regarding non-compliant signs in the State ROW, but the Town does not have authority to enforce either its own sign regulations or NCDOT's sign regulations without NCDOT approval. Council consensus was for staff to pursue such authorization.



Town Attorney Hill was excused from the meeting at this point (8:50pm).

- D. Special authorization and balance sheet adjustment re: transportation (F18-19):** Upon motion by Barnes, seconded by Pegram and carried unanimously, Council approved an adjustment to the FY2018-19 balance sheet to decrease Committed Fund Balance-Transportation by \$50,000 and to increase Unassigned Fund Balance by the same amount. Hall noted that funds were committed by Council in 2006 for future, non-specific transportation projects and that the committed amount had been expended.
- E. Summerfield Historic District boundary signage:** Whitaker described a budgeted item to place four historic district boundary signs on Oak Ridge Road and Summerfield Road and distinguished them from the historic markers found elsewhere that note historic assets/sites. He shared a close rendering of what could be expected visually along with approximate locations to keep Council and citizens informed.
- F. Reports, updates, or comments:** Whitaker stated that the SAP shelter project had been completed within the last fiscal year and that the SCP parking lot project would be completed by the end of the week. He also reported on progress toward completion for the US-220 sidewalk project.

BUSINESS FROM MAYOR AND COUNCIL

- A. Recruitment of Contract Attorney for Legal Services:** Council discussed procedures for interviewing candidate firms who had responded to the Town's RFQ for contract legal services. The consensus was that interviews be conducted in a special called meeting scheduled either Saturday, 9/7, (9-11am) or Monday, 9/9, (7-9pm). Whitaker was directed to contact the firms.
- B. Reports, updates, or comments:** Dunham requested that the Zoning Board consider referral of the site plan for the Henson Village development to Council when it is presented with it.

OTHER BUSINESS – none.

Upon motion by O'Day, seconded by Walker and carried unanimously, the meeting was adjourned at 9:43pm.

 Gail Dunham, Mayor

 Lance G. Heater, Town Clerk