

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. APRIL 5, 2011**

The Board of Aldermen of the Town of Kernersville met in regular session at 7:00 p.m. on the above date in the Municipal Council Chambers at the Municipal Building at 134 East Mountain Street.

Present: Mayor Dawn H. Morgan, Mayor Pro Tem Kevin Bugg, Aldermen Dana Caudill Jones, Keith Mason, Tracey Shifflette, Bob Prescott.

Absent: None.

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Jayne Danner, Deputy Town Clerk; Jeff Hatling, Community Development Director; Kenny Gamble, Chief of Police; Doran Maltba, Public Services Director; Franz Ader, Finance Director; Ernie Pages, Parks and Recreation Director; Walt Summerville, Fire Chief; Ray Smith, Human Resources Director, Russell Radford, Engineering Director; Gray Cassell, Information Systems Director; Ryan Spong, Communications Manager; Karen Soffera, Telecommunicator; Erin Whitaker, Telecommunicator; Brad Rock, Telecommunicator; Julia Ezell, Communications Supervisor; Jeff Lemmons, Telecommunicator and Sharon Williams, Parks & Recreation Program Supervisor.

- CALL TO ORDER

Mayor Dawn Morgan welcomed the Boy Scouts in attendance from Boy Scout Troop 990.

- INVOCATION BY REVEREND RICK CARTER, MAIN STREET UNITED METHODIST CHURCH
- PLEDGE OF ALLEGIANCE

Mayor Dawn Morgan called the meeting to order and Reverend Rick Carter, Main Street United Methodist Church delivered the invocation followed by the Pledge of Allegiance.

- PRESENTATION OF PROCLAMATION FOR RECOGNIZING TELECOMMUNICATORS

Mayor Morgan read and presented a Proclamation to Police Chief Ken Gamble and the Town's Telecommunicators. She commended the Telecommunicators for the work they do and for keeping the citizens in our community safe.

Police Chief Gamble expressed his gratitude for working with a great team of Telecommunicators. He introduced the Telecommunicators in attendance.

- PRESENTATION OF PROCLAMATION FOR CALL 811 FOR SAFE DIGGING MONTH

Mayor Morgan read and presented a Proclamation to Mr. Ron Fairbanks, 811 representative.

Mr. Fairbanks stated the importance of Calling 811 Before You Dig. He noted that this is a free service and that this organization works 24 hours per day seven days per week to ensure that the public and infrastructure of North Carolina remains safe. He added that the 811 regional meetings for local officials and emergency responders will be held in Kernersville in September.

- **PRESENTATION OF PROCLAMATION FOR MULTIPLE SCLEROSIS AWARENESS MONTH**

Mayor Morgan read and presented a Proclamation to Mr. Bob Reed, Multiple Sclerosis (MS) representative.

Mr. Reed expressed his appreciation to the Board for recognizing the importance of the MS Organization. He encouraged those in attendance to join a team and participate in the Kernersville MS Walk on Saturday April 16, 2011 at 4th July Park.

Ms. Sharon Williams, Parks & Recreation Program Supervisor also encouraged participation in the MS walk on Saturday April 16, 2011.

PUBLIC SESSION

2. SPEAKERS FROM THE FLOOR.

None presented.

3. 2011 Annual Reports and Budget Requests:

Kernersville Chamber of Commerce

Mr. John Coulter, President, Kernersville Chamber of Commerce, 5735 Bromley, Kernersville, stated that he is also the Executive Director of the YMCA. He noted the efforts of the Chamber to knit together the business community with all aspects of the community including churches and all non-profits. He added that the Chamber has two main focus areas this year; economic development and business and tourism. He highlighted some of the activities of last year and this year; various seminars, Kernersville Showcase, Healthy Active Adults Day. He noted that all of the Chamber events are free to the public and all are now videotaped. He added that the Chamber is working closely with Caterpillar in their efforts. They are also working with the KDPDC in the new branding campaign. He further added that due to the increase in activities of the Chamber they have hired a part-time membership specialist and that new tourism brochures will be available across the state later this year. He thanked the Board for their continued financial support and offered to answer any questions.

Kernersville Senior Enrichment Center

Lisa Miller, Executive Director, Senior Enrichment Center 205 Vancouver Court, Kernersville, thanked the Board for their continued support of the general operating expenses of the Senior Enrichment Center (SEC). She shared the various activities over the past year and noted that 2,300 seniors, 85% of which were Kernersville residents, made 20,000 visits to the SEC in 2010. She added that 1,900 programs were offered, and that 300 volunteers gave a total of 9,000 hours of volunteer service, 1,000 hours by volunteer Mary McClellan. She further added that the SEC is constantly

seeking input to ensure they are offering the services that senior's desire. She asked the Board to contact the Legislature to advocate on the SEC behalf against the impending cuts. She added that 75% of the SEC funding comes from various sources, and two major fundraisers; annual book sale in the fall and Senior Idol Completion. She asked the Board for continued funding and renewal of the annual contract for use of the building. Ms. Miller expressed her appreciation for the professional service provided every day by Town employees Rick Everhart, Barbara Crawford and David Lagen. She offered to answer questions.

Mayor Morgan thanked Ms. Miller, the Shepherd Center staff and volunteers for all that they do for the seniors in Kernersville.

Kernersville Downtown Preservation & Development Council

Mr. Duane Long, President, Kernersville Downtown Preservation & Development Council

(KDPDC) thanked the Board for their support and asked for funding at the same level for FY 2011-2012. He emphasized how critical the Town's funding was for the continuing operation of KDPDC. Mr. Long noted efforts by the KDPDC to implement changes recommended by the Downtown Task Force. He stated that on May 11, 2011 KDPDC will have a Strategic Planning session to determine how they can better serve the Town and the businesses on Main, Mountain and Cherry Streets over the next five years. Mr. Long also highlighted the new branding logo for Downtown and the partnership established with the Chamber in order to introduce this to businesses on South Main Street. He offered to answer questions.

4. Request by KDPDC for the Banner Program.

Mr. Duane Long, President, Kernersville Downtown Preservation & Development Council

(KDPDC) shared one of the banners demonstrating the new Kernersville branding logo. He stated that they will be in 65 different locations throughout Town. He also noted that Kernersville Living Magazine has now changed their name to Kernersville Magazine and they have incorporated the branding logo on their cover. He asked for the Board's approval for the Town Manager to pursue an agreement with Duke Energy on behalf of the KDPDC to hang the banners from poles throughout the Town.

Mr. Swisher stated that he believed it would be more cost effective for the Town to pursue an agreement since the Town already has agreements with Duke Energy. He stated that the details on hanging the banners have not yet been worked out.

Mr. Long stated that Highland Industry and Kernersville Preservation Society have contributed funds to help offset some of these costs.

Alderman Dana Caudill Jones made a **Motion** directing the Town Manager to continue discussion with Duke Energy about an Agreement for the hanging of the Banners within the Town Limits of Kernersville. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

5. Presentation by Duke Energy on the New 100,000 volt (100kV) Tap Line.

Mr. Jimmy Flythe, Government and Community Relations Manager, Duke Energy stated that he appreciated the opportunity to address the concerns about two of the potential routes for the Caterpillar transmission line as referenced in the Resolution from the Town to Duke Energy.

Mr. Flythe presented the Board members with a handout and a map that illustrated a typical transmission line with a 300 foot corridor. He explained Duke Energy's process for selecting sites for transmission lines and how they determine potential routes. He stated that Duke Energy is obligated to provide a transmission line to Caterpillar and that due to the size of this facility the transmission line would require a 68 ft wide right-of-way. He further stated that once this line was in place it would be available for use by all current and future Duke Energy customers. He added that Duke Energy has to abide by the NC Utilities Commission guidelines and therefore they are required to provide this service as cost effectively as possible; select the most suitable route; take into effect environmental impacts and notify those in the immediate vicinity by holding a community workshop. He noted that 130 people attended the workshop held regarding this transmission line, including Town representatives. He stated that the route is still in the evaluation stage, however a decision is expected to be made by the end of the month and at that time property owners will be notified. He further stated that Duke Energy will then begin surveying and staking the right-of-way and meeting with each property owner one on one to negotiate a purchase price. Mr. Flythe stated that if the Caterpillar plant was served by the existing transmission line, as desired by the Town, Duke Energy will have to add on to this line in order to accommodate service for any future growth in the area.

Mr. Flythe thanked the Board for the opportunity to address this matter and offered to answer questions.

Mayor Morgan thanked Mr. Flythe for coming this evening and asked if after Town staff shared plans for future developments for the area and the negative impact some of the proposed routes would have; if this would have any impact on Duke Energy's decision.

Mr. Flythe stated that during the route evaluation process different weights are allocated based on the type of land, such as current or future residential, agricultural as well as the environmental impact. He added that permits have to be obtained from DENR. He further added that once a route is selected permits are obtained, and in this matter Caterpillar is requesting service as soon as possible.

Mayor Pro Tem Bugg inquired about the status of the project.

Mr. Flythe stated that they will complete Phase III by the end of month. He added that the purchase process of the right of way takes the longest. He further added that from that point the process goes very quickly. He stated that in this particular case they may even begin to talk to property owners prior to the final route selection so that the project can be completed as quickly as possible.

Alderman Shifflette inquired about the variances on the two routes that could have an impact on Kernersville property owners.

Mr. Flythe stated that Duke Energy tries to stay within the 300 foot corridor as delineated on the map, however sometimes adjustments can be made to help the property owner.

Mayor Morgan thanked Mr. Flythe for assisting the Town with the matter of the lighting study at Kernersville Middle School.

6. Presentation and Consideration of Final Route Selection of Kerners Mill Creek Greenway.

Mr. Russell Radford, Engineering Director updated the Board on the funding status and schedule of the Kerners Mill Creek Greenway, adding that design funding may become available within the next few months. He stated that Staff is requesting that the Board of Aldermen make a recommendation on the final route selection of Kerners Mill Creek Greenway Phase I so that the consultant can begin design work later this year. Mr. Radford illustrated this Phase of the greenway using a map and gave an overview of each of the sections. He added that Staff is recommending Section 2B route of the Cherry Cove Apartments alignment but it would require right-of-way acquisition. He further added that the consultant that conducted the feasibility study on the Kilburn Way Lane connector recommended several alternatives within the existing right-of-way; however, the adjacent property owner expressed some concerns with one of those alternatives and suggested another. Mr. Radford stated that after Staff reviewed all the alternatives it is their recommendation that the design engineer do some preliminary work on the two preferred alternatives, the switchback and the citizen proposed compromise before coming back to the Board of Aldermen for a specific decision on the design of the Kilburn Way Lane connector. He highlighted the costs of the McConnell Connector and the Maxine Connector, and noted that they would require right-of-way acquisition. He also highlighted the potential of receiving design funding of \$104,000. He noted the importance of taking these matters into consideration prior to making a final route selection for Phase I. Mr. Radford stated that with the recommendations from the Board the design engineer could provide a much firmer cost estimate. He added that construction could potentially begin in spring 2012.

Mayor Morgan inquired about the last time the old sewer plants had been used.

Doran Maltba, Public Services Director stated that they had not been used since the early 1980's.

Mayor Pro Tem Bugg asked how this project would be bid out.

Mr. Radford stated that a bid would be requested for Phase I Oakhurst to Kilburn Way Lane, a separate bid for the McConnell Connector and a separate bid for Maxine Connector. He stated that the Town will be notified around May 19th if design funding has been approved.

Phil Loflin, 324 Kilburn Way Lane, Kernersville stated that he also owns the Lot at 328 Kilburn Way Lane. He further stated that he appreciated the town staff allowing him to have input in this project. He asked for confirmation of whether the McConnell Connector would require right-of-way acquisition. He further stated that he was initially opposed to the Greenway but that he has had a change of mind. He expressed his desire for Town Staff to allow him to have input early in the process when they look at this project again.

Mr. Radford confirmed that the McConnell Connector will require right-of-way acquisition.

Alderman Tracey Shifflette made the following **Motion** as recommended by Staff for Kerners Mill Creek Greenway Phase 1;

- Alignment-Proceed with preferred alignment across Cherry Cove Apt Property.
- Proceed with “ADA ramp” option and “Property Owner suggestion” as preferred options (or possibly a combination) for Kilburn Connector.
- Return to the Board with more information and more detailed design for a more informed choice.

Mayor Pro Tem Kevin Bugg seconded the motion and the vote was all for and motion carried.

7. **CONSENT AGENDA: All of the following matters are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion unless a Board member or citizen so requests, in which event the matter will be removed from the Consent Agenda and considered under the following item.**

**C-1 Approval of Minutes for February 23, Briefing Session
Approval of Minutes for March 1, Regular Session**

Alderman Dana Caudill Jones made a **Motion** to approve the Consent Agenda items as submitted. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

8. **ITEMS REMOVED FROM CONSENT AGENDA.**

None.

9. **SPEAKERS FROM THE FLOOR.**

None presented.

10. **TOWN MANAGER’S REPORT AND MISCELLANEOUS.**

Mr. Swisher stated that Mrs. Nicole Donoghue has approached the Town about contributing \$40,000 towards the renovations of Harmon Park in Memory of her son Declan Donoghue. He further stated that this \$77,000 project is included in FY11-12 Capital Improvement Plan, however due to the economy it is unlikely that it will be funded. He added that this donation provides an excellent opportunity for the Town to renovate this park and provide a much nicer facility for the children and their families. He stated that Staff is requesting approval from the Board to allocate up to \$30,000 to complete the project. He added if more funds are raised they could include a few additional play pieces that have been cut from the initial plan due to funding restraints.

Mrs. Nicole Donoghue, 142 Coltsgate Drive, Kernersville thanked the Board for this opportunity. She stated that they are excited about being a part of this project in honor of her son Declan. She stated that Declan loved to play and that this renovated playground will add to the downtown area and further enhance the family atmosphere of Kernersville.

Alderman Dana Caudill Jones made a **Motion** to accept Mrs. Donoghue's \$40,000 contribution and to approve the Town Manager to allocate up to \$30,000 to complete the renovations of Harmon Park. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Alderman Dana Caudill Jones thanked the Donoghue's for their partnership with the Town in this project. She added that this playground is used a lot by families with young children.

Mr. Curtis Swisher, Town Manager stated that North Carolina Department of Transportation (NCDOT) would like to know the Board's preferred alignment for the Macy Grove Road Extension (U-4734) to be presented at a Merger Meeting scheduled for April 14, 2011. Mr. Swisher added that at the NCDOT's public hearing, they showed the recommended alignment as the eastern most alignment (#2), primarily based on Triad Park's preference that would maximize their use of the property the extension bisects. NCDOT also noted that all 3 alternatives presented had similar cost and impacts. Based on comments received by NCDOT, some residents of Smith Edwards Road wanted to push the alignment as far from them as possible, to the most western alignment (#5). NCDOT also received comments from residents in the Huntington Run area wanting the eastern most alignment for the same reason. He added that Town Staff's position at the post hearing meeting was that generally the straightest, least costly and least impactful alternative should be chosen (alternative #1), but we didn't have a strong preference or opposition to any particular route.

Alderman Bob Prescott made a **Motion** recommending Alternative # 1 as the preferred alignment for the Macy Grove Road Extension (U-4734). Mayor Pro Tem Bugg seconded the motion and the vote was all for and motion carried.

Mayor Morgan asked if the plan still included a pedestrian tunnel.

Mr. Swisher stated that he would check to see if this was included in the plan.

11. MATTERS TO BE PRESENTED BY THE MAYOR, BOARD OF ALDERMEN AND TOWN ATTORNEY.

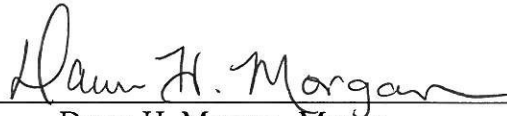
Alderman Dana Caudill Jones stated that an article was in the April Edition of Southern Living Magazine regarding the Grand Opening of the Paul J. Ciener Botanical Gardens this weekend.

Mayor Dawn Morgan stated that the April Edition of Our State Magazine featured an article on the First Presbyterian Church's Easter Egg Sale. She congratulated Kevin Harvick on his win this past weekend. She reminded everyone in attendance of the Town's Earth Day Fair on April 21st. She also thanked the Rotary Club and the Kernersville News for contributing to the prizes for the Winners of the Art for Earth Contest and the Winston Salem Forsyth County School System for their participation in this contest.

12. ADJOURNMENT.

Alderman Tracey Shifflette made a **Motion** to adjourn the meeting. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Board, the meeting was adjourned at 9:14 p.m.


Dawn H. Morgan, Mayor

Attest:


Jayne Danner, Deputy Clerk

I, Jayne Danner, Deputy Clerk of the Town of Kernersville, North Carolina, do hereby certify that this is a true and correct copy of the minutes of the meeting duly held on April 5, 2011.

This the 5th day of May, 2011.


Jayne Danner CMC, Deputy Clerk