

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
BRIEFING SESSION OCTOBER 30, 2013**

The Board of Aldermen of the Town of Kernersville met in a briefing session at 6:30 P.M. on the above date in the Town Hall Executive Conference Room at the Municipal Building at 134 East Mountain Street.

Present: Mayor Dawn Morgan, Mayor Pro Tem Dana Caudill Jones, Alderman Keith Hooker, Alderman Tracey Shifflette, Alderman Irving Neal and Alderman Neal Stockton.

Absent: None

Staff Present: Curtis L. Swisher, Town Manager; Dale F. Martin, Town Clerk; John Wolfe, Town Attorney; Jeff Hatling Community Development Director, Scott Cunningham, Police Chief; Ken Anderson, Fire Rescue Deputy Chief; Doran Maltba, Public Services Director; Ernie Pages, Parks & Recreation Director; Gray Cassell, Chief Information Officer; Franz Ader, Finance Director; Russell Radford, Engineering Director and Crystal Tanner, Human Resources Manager.

Call to order and invocation.

Mayor Dawn Morgan called the meeting to order. Mayor Pro Tem Dana Caudill Jones delivered the invocation.

1. Briefing on the November 12, 2013, November Regular Meeting Agenda.

ITEM #1. **PUBLIC HEARING:** Curtis Swisher, Agent for the Town of Kernersville, for a proposed Unified Development Ordinance (UDO) Text Amendment by amending Chapter B, Article II, 2-1 Zoning Districts, 2-1.3 Commercial Zoning District, (L) MBP Medical Business Park District, (5) Building Materials & Colors, [A] Building Materials, 1) Building Facade of the Unified Development Ordinances to allow for additional architectural accent elements. **Zoning Docket KT-209**

Mr. Jeff Hatling, Community Development Director briefed the Board on the proposed text amendment.

ITEM #2. **PUBLIC HEARING:** **Curtis Swisher, Agent for the Town of Kernersville,** for a proposed Unified Development Ordinance (UDO) Text Amendment by amending Chapter B of the Unified Development Ordinances to reflect changes made by the General Assembly of North Carolina to the North Carolina General Statutes in Session Law 2013-126/House Bill (H.B.) 276 entitled “AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS OF ADJUSTMENT.” **Zoning Docket KT-210**

Mr. Jeff Hatling briefed the Board on this proposed text amendment which reflects changes made to State law regarding the Board of Adjustment. He highlighted the major changes and noted that the new law provides more clarity on how to handle appeals. Town Attorney John Wolfe concurred that the new law provides for clarity of matters before the Board of Adjustment.

ITEM #4. Presentation regarding Chamber of Commerce Building Expansion.

Town Manager Curtis Swisher briefed the Board on the proposed plans to expand the Chamber of Commerce building and the potential new lease of the building.

ITEM #5. Consideration of a Request to transfer \$350,000 Hold Harmless Funds to the Street Department for Street Resurfacing.

The Town Manager presented a request to transfer the Hold Harmless funds to the Street Division to address a critical need for road maintenance. He noted that no money was included in this year’s budget for resurfacing. He stated that Doran Maltba will make a presentation at Tuesday’s meeting.

ITEM #6. Consideration of an Ordinance Amending the Kernersville Code of Ordinance Book:
 Chapter 12 – Parades
 Chapter 13 – Police

The Town Attorney John Wolfe stated that these chapters have not been changed in 30 years. He noted that Chapter 13 is mostly clean up with no significant changes.

Mr. Wolfe referred to his memo regarding Chapter 12 and highlighted the significant changes to Article I. Protests and Picketing and then to Article II. Parades. He stated that his staff has reviewed several other cities’ ordinances and incorporated the appropriate language into this recommendation.

Mr. Wolfe stated that he had a conversation with the Safety Director Angie Whitley regarding insurance for special events by the different entities sponsoring those events. Mr. Wolfe explained the difficulty in obtaining this insurance but advised that he will look into the matter further and report back to Board.

Alderman Irving Neal confirmed that the Town does have a liability insurance policy for Town events. Mr. Swisher stated that the Town does have liability insurance and noted that some of the organizations provide a certificate of insurance such as the Arts d'Vine and the Cruise-in.

Mayor Pro Tem Dana Caudill Jones noted that under Permitting Criteria (c) an application could be denied or revoked for failure to submit documentation. The Town Attorney stated that this becomes very complicated and that we can't discriminate from one organization to another.

Crystal Tanner, Human Resources Manager stated that the concern was for parades more than downtown events and cited the safety concern of children running into the street for candy at our parades. Mr. Wolfe noted that the Town is going to be sued regardless and advised that he will do more research into this requirement and report back to the Board.

ITEM #7. CONSENT AGENDA:

- C-1 Approval of Minutes for August 28, 2013 Briefing Session
 Approval of Minutes for September 3, 2013 Regular Session
 Approval of Minutes for September 25, 2013 Briefing Session

- C-2 Consideration of Appointment to the Board of Adjustment

- C-3 Consideration of a Resolution executing a Revised Memorandum of Understanding with the Winston-Salem Urban Area Metropolitan Organization.

- C-4 Consideration of Forsyth County Tax Refund

Mayor Morgan briefed the Board on each Consent Agenda item. Mr. Hatling explained that there is a slight modification to the MPO Memorandum of Understanding.

Curtis Swisher noted that the Tax refunds are for over payments of recycling and stormwater fees.

ITEM #10. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher noted that he may have one item for Fire Department regarding the department's ladder truck.

ITEM #11. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

Mr. Wolfe stated that the Town is soliciting upset bids for the sale of the property on E. Mountain Street. He referred to the offer by Amanzi that the Board considered at the October meeting. The deadline for receiving an upset bid is November 1st. If no bid is received, he will bring a resolution for the sale of the property before the Board Tuesday night. If a new bid is received, the process will start over for another 10 days and nothing will be brought to the Board at this meeting.

2. Matters to be presented by the Town Manager and Town Attorney.

Mayor Morgan asked for an update on the Justice house. Mr. Hatling stated that demolition has begun and barring any unforeseen circumstances, the debris could be cleared up by tomorrow.

Mayor Morgan expressed a concern for this area during the Downtown Halloween Trick or Treat event.

Mayor Morgan announced that she issued a proclamation to bring awareness to Dyslexia.

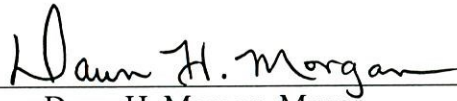
Mr. Swisher announced the ACC Cross Country Championships are being held at the Ivey Redmon Park on Friday and the State High School Championships on Saturday.

Mr. Swisher reported that the new mower in Public Services has drastically cut the mowing time and has been well worth the Town's investment. He stated that we will look at leasing more of these mowers in next year's budget.

3. Adjournment.

Alderman Tracey Shifflette made a **Motion** to adjourn the meeting. Alderman Keith Hooker 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 7:28 PM.



Dawn H. Morgan, Mayor

Attest:



Dale F. Martin, Town Clerk

I, Dale F. Martin, Town 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 October 30, 2013.

This the 5 day of December, 2013.



Dale F. Martin, MMC, Town Clerk