

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
BRIEFING SESSION FEBRUARY 23, 2011**

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, Alderman Bob Prescott, Alderman Tracey Shifflette, Aldermen Dana Caudill Jones and Alderman Keith Mason.

Absent: Mayor Pro Tem Kevin Bugg.

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe III, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Doran Maltba, Public Services Director; Mike Horney, GIS Administrator; Ken Gamble, Police Chief; Walt Summerville, Fire Chief; Russell Radford, Engineering Director; Brian Ulrich, Transportation Engineer; John Edwards, Landscape Specialist; Heather Wood, Marketing & Community Relations Specialists; Gray Cassell, Information Systems Director; Ray Smith, Human Resources Director and Franz Ader, Finance Director.

Call to order and invocation.

Mayor Dawn Morgan called the meeting to order and Alderman Dana Caudill Jones delivered the invocation.

1. Presentation on Relocation of Reedy Fork Creek Pump Station.

Mr. Russell Radford, Engineering Department Director presented the history of this pump station which goes back to 1995. He spoke of the early plans for the old 421 business park site which is now Triad Business Park. In 2003, CCUC had a study conducted on providing service to this business park. In 2004 alternatives were evaluated for the relocation of the pump station upstream. In 2010 discussions were held among all parties on the relocation and upgrade of the Reedy Fork Creek Pump Station.

Mr. Radford stated that the purpose of tonight's discussion is the proposed relocation of this station upstream. He noted the proposed location and two potential sites for the future. He presented the design criteria of the proposed project which will cost the Town approximately \$1.4 million with CCUC paying the balance. The total cost of the project is approximately \$8 million. Staff is requesting the Board's approval to proceed with this project.

Alderman Shifflette asked if this will serve the Town's future needs of this area and will funds continue to flow into this account. Mr. Swisher noted the area served by this proposed location. Beyond that we would need to use one of the other two potential sites. Mr. Radford stated that yes; money will continue to flow into this account.

A discussion about future needs, the associated costs and the purpose of the CCUC fund was held.

Alderman Bob Prescott made a **Motion** to proceed with this project as recommended by Staff. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

2. Briefing on the March 1, Regular Meeting Agenda.

ITEM #1. PUBLIC HEARING: Curtis Swisher, Town Manager, for consideration of an amendment to the *Kernersville Development Plan* to amend the *Land Use Plan*, Zoning Docket KDP-32

ITEM #2. PUBLIC HEARING: Allied Commercial Realty, LLC, Agent, for property located at 545 Dobson Street, Zoning Docket K-705

Mr. Jeff Hatling, Community Development Director briefed the Board on the amendment to the Kernersville Development Plan and the corresponding rezoning request.

ITEM #3. PUBLIC HEARING: Curtis Swisher, Agent for the Town of Kernersville, for a proposed Zoning Text Amendment to the Unified Development Ordinance (UDO), Zoning Docket KT-201

Mr. Hatling briefed the Board on this proposed text amendment which is designed to clarify the parking placement of commercial vehicles within the overlay district and to improve public awareness of zoning cases.

There was a discussion regarding the definition of a commercial delivery vehicle.

ITEM #4. PUBLIC HEARING: Curtis Swisher, Agent for the Town of Kernersville, for a proposed Zoning Text Amendment to the Unified Development Ordinance (UDO). Zoning Docket KT-202

Mr. Hatling briefed the Board on this proposed text amendment regarding project signs.

PUBLIC SESSION

**ITEM #6. 2011 Annual Reports and Budget Requests:
Kernersville Cares for Kids
Korner's Folly
Community Appearance Commission
Sister City Commission**

Mayor Morgan noted the annual report and budget requests for outside agencies requesting funds from the Town.

ITEM #7. Presentation by the Oakmont East Homeowner’s Association.

Mayor Morgan stated that Mr. Chadwick will make a presentation on behalf of the homeowners in Oakmont. Mr. Swisher noted the video linked to the website and requested that each Board member review the video prior to the meeting.

ITEM #8. Consideration of Ordinances and Resolutions requesting NC Department of Transportation Concurrence in Establishing School Zone Speed limits for:

- a. Kernersville Middle School**
- b. East Forsyth Middle School**
- c. Bishop McGuinness High School**
- d. Caleb’s Creek Elementary School**

Mr. Swisher reminded the Board of last month’s discussion regarding school zones for each school. Mr. John Wolfe, Town Attorney pointed out that the Board has four ordinances and resolutions for consideration.

Mayor Morgan expressed a concern with wording in the resolution for Kernersville Middle School in the last paragraph where resolution regarding the time. Mr. Wolfe stated that he would review the language.

Mayor Morgan also noted that this request was initiated by a former Principal.

Mr. Wolfe then advised that this relates to the proposed amendments to Chapter 9 and requested that Chapter 9 be voted upon prior to this item.

Mayor Morgan requested that the agenda be amended by a motion of the Board.

Alderman Tracey Shifflette made a **Motion** to move Item #8 to Item #10, Item #9 to Item #8, Item #10 to Item # 9. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

ITEM #9. Presentation by the Tree Commission as required by Ordinance:

- a. Annual Report**
- b. Grant request for NC Urban and Community Forestry Grant for Tree World Education Program**

Mr. Swisher briefed the Board on this item.

John Edwards, Landscape Specialist invited those in attendance to the Arbor Day event planned for March 18th which will include the celebration of our status as a Tree City USA designation.

**ITEM #10. Consideration of an Ordinance Amending the Kernersville Code of Ordinance Book:
Chapter 9, Motor Vehicles**

Mr. Wolfe briefed the Board on the amendments to Chapter 9 of the Code of Ordinances which does include the school zone speed zones.

ITEM #11. Consideration of an Ordinance Establishing a Capital Reserve Fund for Future Capital Projects.

Mr. Swisher briefed the Board on this capital reserve fund.

ITEM #12. Consideration of Budget Amendment No. 2 for FY 2010-2011.

Mr. Swisher explained budget amendment number two.

ITEM #13. Consideration of a Resolution Declaring Certain Property Surplus and Authorizing Advertisement of Electronic Sale.

Mr. Swisher briefed the Board on a resolution declaring Town property surplus and authorizing the electronic sale. He reported on the Town's success of using an electronic sale over a public auction.

ITEM #14. 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 January 14, Planning Session
Approval of Minutes for January 26, Briefing Session
Approval of Minutes for January 26, Closed Session
Approval of Minutes for February 1, Regular Session
- C-2 Consideration of a Resolution establishing dates for the Spring Folly.
- C-3 Consideration of a Request by the Chamber of Commerce to hold the Music at Twilight concerts in the Town Hall Courtyard.
- C-4 Forsyth County Tax Refunds

Mr. Swisher briefed the Board on each consent agenda item.

17. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher stated that he will have information Tuesday night on the landscaping maintenance at the new round-a-bout on Mountain Street from NCDOT.

Mayor Morgan asked for an update on the interchange. Mr. Hatling reported that they had discussions on that today. Several years ago, the Town had discussions with NCDOT regarding interchange enhancements and we expect that to start back up again. This is similar to the round-a-bout, NCDOT has enhancement money available as long as you provide maintenance and we already provide maintenance.

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

Mr. Swisher reported on a letter from Duke Energy that was received by a resident. Duke Energy is holding a drop-in session at Summit Church tomorrow night regarding their service for the new CAT facility. They are looking at four projected routes one of which will split property in the Caleb's Creek area. Staff is opposed to this location as it will reduce the value of that property and the tax base for Kernersville. He stated that Staff will attend tomorrow's meeting to express the Town's opposition.

Alderman Tracey Shifflette made a **Motion** to enter into Closed Session at 7:36 PM to discuss matters about which the Town Attorney needs to advise us, and which fall within the Attorney-Client privilege for discussion in closed session including, but not limited to, discussion of Forsyth County District Court case of the Town of Kernersville v. William A. Haney, 09 CVD 2475. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

4. Adjournment.

Alderman Keith Mason made a **Motion** to adjourn the meeting immediately following the Closed Session. Alderman Bob Prescott 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 8:26 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 February 23, 2011.

This the 8 day of April, 2011.


Dale F. Martin, MMC, Town Clerk