

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
BRIEFING SESSION APRIL 27, 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, Mayor Pro Tem Kevin Bugg, Alderman Tracey Shifflette, Alderman Keith Mason Aldermen Dana Caudill Jones and Alderman Bob Prescott.

**Absent:** None.

**Staff Present:** Curtis L. Swisher, Town Manager; John G. Wolfe III, Town Attorney; Jayne Danner, Deputy Clerk; Jeff Hatling, Community Development Director; Doran Maltba, Public Services Director; Ken Gamble, Police Chief; Walt Summerville, Fire Chief; Russell Radford, Engineering Director; Brian Ulrich, Transportation Manager; Ernie Pages, Parks and Recreation Director and Ray Smith, Human Resources Director.

**Call to order and invocation.**

Mayor Morgan called the meeting to order and Alderman Keith Mason delivered the invocation.

**1. Consideration of a Resolution declaring May as Historic Preservation Month.**

Mr. Curtis Swisher, Town Manager stated that May is Historic Preservation Month. He added that this year's theme is "Celebrating America's Treasures" and that the events are being cosponsored by the Forsyth County Historic Resources Commission and the National Trust for Historic Preservation.

Mayor Pro Tem Kevin Bugg made a **Motion** for the approval of the following Resolution declaring May as Historic Preservation month in Kernersville. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

**R-2011-13  
RESOLUTION DECLARING HISTORIC PRESERVATION MONTH  
IN  
KERNERSVILLE, NORTH CAROLINA  
MAY 2011**

**WHEREAS**, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

**WHEREAS**, historic preservation is relevant for urban and rural communities across the nation, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

**WHEREAS**, "*Celebrating America's Treasures*" is the theme for National Preservation Month 2011, cosponsored by the Forsyth County Historic Resources Commission and the National Trust for Historic Preservation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Board of Aldermen of Kernersville do hereby declare the month of May 2011 as National Historic Preservation Month, and call upon the people of Kernersville to join their fellow citizens across the United States in recognizing and participating in this special observance.

**BE IT FURTHER RESOLVED** that this resolution be spread upon the minutes of the Board of Aldermen and that a copy be furnished to the Forsyth County Historic Resources Commission.

Adopted this 3<sup>rd</sup> day of May, 2011.

## **2. Consideration of a Governor's Highway Safety Equipment Grant.**

Police Chief Ken Gamble advised those in attendance that Kernersville is under a Tornado Warning.

Alderman Dana Caudill Jones joined the meeting at 6:31 p.m.

Police Chief Ken Gamble stated that the Police Department is requesting the Board's approval to submit an application for a \$29,500 Governor's Highway Safety Grant. He added that this grant would require a \$7,375 (25%) Town match using monies in forfeiture funds. He further added that if the Town is awarded the grant, funds would be used for the purchase of Lidor equipment and a speed monitor trailer for the Police Departments Traffic Division.

Alderman Keith Mason made a **Motion** authorizing Staff to submit a Governor's Highway Safety Program Grant. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

## **3. Briefing on the May 3, Regular Meeting Agenda.**

Mr. Swisher stated that there are a number of ceremonial items on the Agenda. He highlighted each one.

- **PRESENTATION TO WINNERS OF EARTH DAY ART CONTEST**
- **PRESENTATION OF PROCLAMATION DESIGNATING NATIONAL LAW ENFORCEMENT WEEK**
- **PRESENTATION OF PROCLAMATION DESIGNATING NATIONAL PUBLIC WORKS WEEK**
- **PRESENTATION OF PROCLAMATION DESIGNATING MUNICIPAL CLERK’S WEEK**
- **PRESENTATION OF A RESOLUTION DECLARING MAY AS HISTORIC PRESERVATION MONTH**

Alderman Bob Prescott joined the meeting at 6:33 p.m.

**Item # 1 PUBLIC HEARING: Tri-City Real Estate Co., Inc. (Janie Veach), Owner for property located at 201 E. Bodenhamer Street and 200 King Street. Petitioner requests a General Use District rezoning to rezone from GI (General Industrial) District to PB (Pedestrian Business) District. Zoning Docket K-706**

Mr. Jeff Hatling, Community Development Director briefed the Board on this rezoning request. He stated that Staff and Planning Board recommend approval of this rezoning request as presented.

**Item # 2 PUBLIC HEARING: Curtis Swisher, Agent for the Town of Kernersville, for a proposed Zoning Text Amendment to the Unified Development Ordinance (UDO) by amending Chapter B – Zoning Ordinance, Article VII 7-3, General Submittal Requirements adding a requirement for information related to applicant contact with the neighborhood prior to a rezoning submittal. Zoning Docket KT-203**

Mr. Jeff Hatling, Community Development Director briefed the Board on this text amendment request. He stated that Staff drafted the text amendment based on the Board of Alderman’s recommendations; however the Planning Board is opposed to developers being required to hold mandatory neighborhood meetings prior to the Planning Board public hearings.

**Item # 3 PUBLIC HEARING: Curtis Swisher, Town Manager, for consideration of an amendment to the Kernersville Development Plan to amend the Land Use Plan to include the adopted Heart of the Triad, A Collaborative Plan for Economic Vitality And Quality of Life land use plan recommendations and incorporate the adopted West Mountain Street Industrial Area Plan and Martin Mill Creek Area Plan into the Land Use Plan document. Zoning Docket KDP-33**

Mr. Jeff Hatling, Community Development Director briefed the Board on this amendment to the Kernersville Development Plan to amend the Land Use Plan to include the Heart of the Triad. He stated that Staff and Planning Board recommend approval of the amendment as presented.

**Item # 5 Winston-Salem/Forsyth County School System Request Regarding School Street Sidewalk.**

Mr. Swisher briefed the Board on the School Street sidewalk project. He stated that NCDOT will fund \$100,000 of this \$137,552 project; however \$20,014.50 worth of work required is on Kernersville Elementary School property. He added that prior to the Municipal Agreement being finalized Staff needs to know if the Winston Salem Forsyth County School System (WSFCS) intends to fund their portion of the project. He further added that if WSFCS agrees to fund this portion of the project, no action will be required by the Board and therefore the matter will be withdrawn from the Agenda on Tuesday evening.

**Item # 6 Consideration of a NCDEAO “Community Waste Reduction and Recycling Program Grant for the Purchase of Recycling Containers.**

Mr. Swisher briefed the Board on this \$30,000 grant for recycling containers for the parks. He added that the grant would require a \$5,000 Town match.

**Item # 7 Annual Report by the Kernersville Soccer Association.**

Mr. Swisher stated that a representative from KSA will be at the May 3<sup>rd</sup> Board of Aldermen meeting to present their Annual Report as stipulated in the contract.

**Item # 8 Consideration of a Contract with John G. Wolfe III, Attorney at Law for Legal Services.**

Mr. Swisher stated that Mr. Wolfe’s two year contract is due for renewal.

**Item # 9 Consideration of Recommendations by KDPDC to Allow Downtown Events:**

- a. Kernersville Cares for K-9’s event on October 1, 2011
- b. Kernersville Classic Cars Cruise-In

Mr. Swisher briefed the Board on these Downtown Events. He stated that the KDPDC has recommended approval of both events as stipulated in the funding agreement.

Mr. Swisher stated that he anticipates a similar request for an Arts D’ Vine event to be presented to the Board soon.

**Item # 10 CONSENT AGENDA:**

- C-1 Approval of Minutes for February 23, 2011 Closed Session  
Approval of Minutes for March 23, 2011 Briefing Session  
Approval of Minutes for March 23, 2011 Closed Session  
Approval of Minutes for April 5, 2011 Regular Session
- C-2 Forsyth County Tax Refunds

Mr. Swisher highlighted the Consent Agenda items.

**4. Matters to be presented by the Town Manager and Town Attorney.**

Mr. Swisher stated that he will have an NCDOT Supplemental Agreement for the Union Cross Road turn lane project for the Board's consideration. He added that this information will be included in the Board's Weekly Packet.

Mayor Morgan requested that a copy of the map that illustrates which jurisdiction is responsible for funding portions of the NCDOT Union Cross Road Sidewalk project is included in the Weekly Packet to the Board of Aldermen.

John Wolfe, Town Attorney stated that he would have two matters for the Board's Consideration on Tuesday evening. A Litigation Hold Policy and Procedures. Mr. Wolfe distributed a copy of the Litigation Policy to the Board for review. He stated that this policy will supersede the Town's current Records Retention and Disposition Schedule for matters that are in litigation and allow for retention of all modes of communication for matters in litigation until released by the Town Attorney.

He added that the second matter is a 5 year Interlocal Agreement with Guilford County for the collection of property tax at an annual rate of \$546, which is less than the previous Agreement. Mr. Wolfe stated that a copy of the Agreement would be included in the Weekly Packet.

Mayor Morgan thanked Aldermen Jones and Shifflette for being judges in the Earth Day Art Contest and the Rotary Club and Kernersville News for being sponsors of the event.

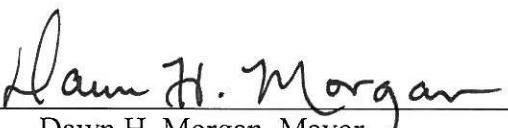
**5. Closed Session for purpose of a discussion regarding Land Acquisition.**

Alderman Dana Caudill Jones made a **Motion** to go into Closed Session for the purpose of a discussion regarding Land Acquisition at 7 p.m. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**6. Adjournment.**

Alderman Tracey Shifflette made a **Motion** to adjourn the meeting at 7:09 p.m. immediately following the Closed Session. 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.

  
Dawn H. Morgan, Mayor

Attest:

Jayne Danner  
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 27, 2011.

This the 13<sup>th</sup> day of June, 2011.

Jayne Danner  
Jayne Danner CMC, Deputy Clerk