

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. APRIL 1, 2014**

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 Joe Pinnix, Jr., Aldermen Keith Hooker, Tracey Shifflette, Irving Neal, and Kenny Crews.

Absent: None

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Police Captain Tim Leonard; Fire Chief Terry Crouse; Doran Maltba, Public Services Director; Gray Cassell, Chief Information Officer; Ernie Pages, Parks & Recreation Director; Franz Ader, Finance Director; Ray Smith, Human Resources Director; Bruce Hennequin, Fire Marshal; and Sharon Richmond, Senior Planner.

- **CALL TO ORDER**
- **INVOCATION BY PASTOR SAM MCKINNEY, NEW BEGINNINGS CHURCH**
- **PLEDGE OF ALLEGIANCE**

Mayor Dawn Morgan called the meeting to order at 7:07 PM and Pastor Sam McKinney of New Beginnings Church delivered the invocation which was followed by the Pledge of Allegiance.

Mayor Morgan welcomed and recognized Mr. Mark Baker, Forsyth County Commissioner and Dr. Don Martin, Retired FC School Superintendent both running for Forsyth County Commissioner in the next election.

- **PRESENTATION OF PROCLAMATION FOR TELECOMMUNICATORS**

Mayor Morgan recognized the Police Department's Telecommunicators and presented a proclamation to: Ryan Spong, Amy Clewis, Lindsay Kleitches, Brad Rock and Lauren Stroupe.

Ryan Spong thanked the Board of Aldermen, the Town Manager and Police Department for their support.

- **PRESENTATION OF PROCLAMATION RECOGNIZING EARTH DAY**

Mayor Dawn Morgan presented the Earth Day Proclamation to Elizabeth Coyler, Stormwater Administrator and organizer of the Town's Earth Day event.

Elizabeth Coyler thanked the Board of Aldermen, the Town Manager for their support of this event and invited everyone to attend on April 22nd in the Town Hall courtyard. She highlighted the vendors and events planned throughout the day.

- **RECOGNITION OF THE BISHOP MCGUINNESS HIGH SCHOOL GIRLS 2014 BASKETBALL TEAM**

Mayor Morgan stated that due to a conflict with Spring Break the students were unable to attend the meeting; however the Mayor did present the certificates to the players and a Proclamation to the Athletic Director at their school.

Mayor Morgan then recognized and presented a proclamation to Allan Asbell, CAC Chairman upon his resignation from the CAC. Mr. Asbell has served for 14 years on the Community Appearance Commission and most of those years as Chairman.

Mr. Asbell thanked the Board of Aldermen for their support over the years and added that it has been a pleasure to serve the citizens of Kernersville. He stated that in his report later in the meeting, he would highlight the CAC's activities.

PUBLIC HEARINGS

- 1 a. **PUBLIC HEARING: on a Petition by PBA Consultants, Inc. to close a portion of Arbor Hill Road, being the most easterly portion adjoining PBA Consultants, Inc. and North Carolina Department of Transportation Right of way of Business 40, containing 0.536 acres more or less.**

Mr. Jeff Hatling, Community Development Director presented a request to close a portion of Arbor Hill Road. He reported that PBA owns the property adjacent to the section of roadway. He stated that plans to connect this road to Salisbury Street have been changed due to the new bridge. It was determined to be an unsafe connection therefore; Staff recommends this portion of the roadway be closed.

Mayor Morgan declared the Public Hearing open.

In Favor

Tony Alford, owner of the property, PO Box 103, Kernersville, NC - asked for support of closing this road allowing him to move forward with other plans for this property. He then made himself available for questions.

Opposed

None presented

Being no further speakers to come before the Board, the Mayor declared the Public Hearing closed.

1 b. Consideration of an ordinance closing aforementioned street.

Town Attorney John Wolfe reported that NCDOT has consented to the road closing and that the Town has retained the necessary easements to allow access by fire apparatus and an easement for the fire hydrant.

Alderman Irving Neal made a **Motion** to approve the following ordinance to close a portion of Arbor Hill Road. Mayor Pro Tem Joe Pinnix seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2014-06

**ORDINANCE ORDERING THE CLOSING
OF ALL OF THAT 0.536 ACRE TRACT OF LAND
BEING THE MOST EASTERLY PORTION OF ARBOR HILL ROAD
ADJOINING PBA CONSULTANTS, INC. AND
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY OF BUSINESS 40
IN THE TOWN OF KERNERSVILLE, NORTH CAROLINA**

WHEREAS, on the 4th day of March, 2014, at a regularly scheduled Meeting of the Board of Aldermen of the Town of Kernersville, North Carolina, a Resolution stating the intent to close all of that 0.536 acre tract of land being the most easterly portion of Arbor Hill Road which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded on one side by lands owned by PBA Consultants, Inc., and the other side by the North Carolina Department of Transportation Right of Way for Business 40, as herein described, and fixing the date and hour for hearing regarding the closing of a portion of said Arbor Hill Road, was adopted by a vote of said Board of Aldermen; and

WHEREAS, a date and hour was fixed for such Public Hearing to be held on the 1st day of April, 2014, at 7:00 p.m. in Council Chambers/District Courtroom, Town Hall, Kernersville, Forsyth County, North Carolina, at the regular monthly meeting of said Board of Aldermen; and

WHEREAS, Notice of said meeting was published once a week for four consecutive weeks (March 8, 13, 18 & 27, 2014) prior to the date of said Public Hearing, in the KERNERSVILLE NEWS, a newspaper published and having a general circulation within the Town of Kernersville, North Carolina, pursuant to order of the Board of Aldermen; and

WHEREAS, Notices of Closing and Public Hearing were posted in at least two prominent places along the said Arbor Hill Road; and

WHEREAS, adjoining property owners were duly notified by certified mail of the date, place, and time of Public Hearing, and the intent of the Board of Aldermen to close a portion of said Arbor Hill Road; and

WHEREAS, at a meeting of the Board of Aldermen of the Town of Kernersville, North Carolina, held on the 1st day of April, 2014, a Public Hearing was held on the closing of all of that 0.536 acre tract of landing being the most easterly portion of Arbor Hill Road which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded on one side by lands owned by PBA Consultants, Inc., and the other side by the North Carolina Department of Transportation Right of Way for Business 40, and known as a portion of Arbor Hill Road; and

WHEREAS, the Board of Aldermen has determined that closure should be conditioned upon the approval of the closing by the North Carolina Department of Transportation, the provision by PBA Consultants, Inc. of a 50' by 25' fire apparatus easement as shown on the attached Exhibit B, and the retention by the Town of a 20' easement to access a fire hydrant located adjacent to the road portion to be closed and it appearing to the Board that these conditions shall be met and shown on the attached Exhibit B; and

WHEREAS, the North Carolina Department of Transportation has consented to the combination of the property within the closed road being combined with the property of PBA Consultants, Inc. by its signature as shown on the attached Exhibit B; and

WHEREAS, it would appear to the satisfaction of the Board of Aldermen of the Town of Kernersville, North Carolina, that the closing of all of that 0.536 acre tract of landing being the most easterly portion of Arbor Hill Road which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded on one side by lands owned by PBA Consultants, Inc., and the other side by the North Carolina Department of Transportation Right of Way for Business, and known as a portion of Arbor Hill Road, is not contrary to the public interest and that no individual owning property, adjoining or abutting, or in the vicinity of said portion of Arbor Hill Road, will hereby be deprived of reasonable means of ingress or egress to his/her property;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE, NORTH CAROLINA, that all of that 0.536 acre tract of landing being the most easterly portion of Arbor Hill Road which is located within the Town of Kernersville, Forsyth County, North Carolina, and bounded on one side by lands owned by PBA Consultants, Inc., and the other side by the North Carolina

Department of Transportation Right of Way for Business 40 and known as a portion of Arbor Hill Road, and described on the attached **Exhibit A** and shown on the attached map designated as **Exhibit B**, which are hereby incorporated within this Ordinance as if fully set out herein, said **Exhibit B** also being recorded in Plat Book _____, Page _____ of the Forsyth County Registry, be and is hereby ordered closed; that a copy of the Resolution of Intent to close a portion of said Arbor Hill Road be sent to the North Carolina Department of Transportation; that in accordance with N.C.G.S. 160A-299(e), the Department of Transportation be requested to close the said Arbor Hill Road; and, that this Ordinance ordering the closing of Arbor Hill Road be forwarded to the North Carolina Department of Transportation.

This 1st day of April, 2014.

- 2 a. 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 C, *Environmental Ordinance*, Article III *Watershed Protection*, 3-1.14 *Watershed Review Committee*, and additionally, amending various sections of the Unified Development Ordinance to provide non-substantive verbiage changes. KT-211**

Mr. Jeff Hatling presented the Planning Board Report for this text amendment. He stated that no substantive changes are being made. Staff has gone through the UDO and is recommending changes to names, titles, and departments that currently exist within the organization. The Planning Board and Staff recommend approval as presented.

Mayor Morgan declared the Public Hearing open.

In Favor

None presented.

Opposed

None presented.

Being no speakers to come before the Board, the Public Hearing was closed.

- 2 b. Consideration of an ordinance for a text amendment.**

Alderman Tracey Shifflette made a **Motion** to approve the following ordinance for a Text Amendment to the Unified Development Ordinance (UDO) by amending Chapter C, *Environmental Ordinance*, Article III *Watershed Protection*, 3-1.14 *Watershed Review Committee*, and additionally, amending various sections of the Unified Development Ordinance to provide non-substantive verbiage changes. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**ORDINANCE NO. O-2014-07
AN ORDINANCE AMENDING
THE ZONING ORDINANCE
OF THE UNIFIED DEVELOPMENT ORDINANCE**

BE IT ORDAINED by the Board of Aldermen of the Town of Kernersville, North Carolina, that the *Unified Development Ordinance* (UDO) is hereby amended as follows:

Section 1. That all those items referenced in the attached (Exhibit A) shall be amended as noted. That this amendment affects all chapters of the Unified Development Ordinance and reflects the new designations pertaining to consolidation / designation of staff.

Previous Designation	New Designation
Planning Director	<u>Community Development Director</u>
Planning Department / Staff	<u>Community Development Department / Staff</u>
Inspections	<u>Permit & Enforcement Division</u>
Public Works Director	<u>Public Services Director</u>
Public Works Department / Staff	<u>Public Services Department / Staff</u>

Section 2. Chapter C, Environmental Ordinance, Article III Watershed Protection, 3-1.14 Watershed Review Committee be amended as follows:

WATERSHED REVIEW COMMITTEE: A staff level review group appointed by the Town Manager, consisting of the Watershed Administrator, Public Works Services Director, Town Engineer Division Manager, Zoning Administrator, Community Development Director, Fire Marshal, Stormwater Division Manager, and other representatives as may be deemed appropriate by the Board of Aldermen and the Town Manager.

Section 3. That this Ordinance shall become effective upon adoption.

Adopted this the 1st day of April, 2014.

PUBLIC SESSION

3. SPEAKERS FROM THE FLOOR.

Mr. Harvey Pulliam, 415 Holt Street, Kernersville, NC – expressed a concerned with the hiring of new Downtown Director. He stated that he remembered that the town turned this over to the Chamber and asked who this new Director would report to and if the funds for this position are being adjusted from what was previously given.

Curtis Swisher, Town Manager explained that this position is still under the Chamber of Commerce. He noted that the funds were cut in half two years ago when the position was placed under the Chamber. The Chamber hired a part time Director and that person has taken another job.

Mr. Pulliam asked for the total funding given to the Chamber for this position and from which fund is this paid. Mr. Swisher reported that the Chamber receives \$31,250 (\$27,750 for Downtown and \$7,500 for the Chamber) from the general fund and \$19,500 from Occupancy Tax Fund (\$12,000 for Downtown and \$7,500 for Chamber) for a total of \$51,000.

Mr. Pulliam asked that the Board look at this if the Chamber is asking for more funding. He questioned how much was for salaries. He reminded the Board that they represent all the people of Kernersville. He thanked the Board for their attention.

Louis Thibodeaux, 280 Post Oak Road, Kernersville, NC – thanked the Board for their service and stated that he attended the meeting last night with Novant regarding the purchase of property. He recommended that a notice be placed in the newspaper so that more people would have known about the meeting. He stated that he only knew about it because of an article in the paper mentioned the meeting at the end of the article.

Mayor Morgan recommended that Mr. Thibodeaux subscribe to the PEN list.

The Town Attorney stated that the Town cannot control what the newspaper prints. He stated the Town goes above what is required for posting notices of meetings.

4. Continued discussion on parking situation on King Street.

Mr. Swisher presented pictures of the street and homes along King Street and the parking lots used by Parks & Recreation. He stated that the homes here have driveways. He reported that he did receive a call from an individual that did not want “No Parking” signs on their side of the street (side opposite from Ms. McMichael). He added that if no parking is adopted on one side of the street, it would apply to everyone on that side of the street.

Mr. Swisher recommended that we try something like they what is used downtown which is to place temporary signs along an area that says “No Parking after 4 PM. These signs could say “Resident Parking Only.” He added that Parks & Recreation Staff has been diligent with more enforcement and if we put out these temporary signs we can see if that will help the situation.

Eva Teague, 135 King St., Kernersville, NC – stated that when there are people parking on both sides of the street only one car can get through. Emergency vehicles would have a hard time getting down the street. She suggested there be no parking on her side of the street. She stated that people park on both sides and park in front of her driveway and she would like to see no parking on her side of the street. She announced that there are a lot of older folks that live on this street.

Mr. Swisher stated that if they all have driveways, then no parking may work.

Ms. Teague reported that she has heard that the Fire Chief came out and asked the Parks & Recreation Department to cut back on their activities to help with the parking on both sides of the street since emergency vehicles can't get through. She added that they even park in front of the fire hydrant.

Ernie Pages, Parks & Recreation Director stated that Staff has been proactive with the parking situation by sending out emails to all the users explaining where they can park and they have added signs at each of the parking lots.

Alderman Kenny Crews stated that the Town is leasing this facility without adequate parking. He recommended larger signs at each of the parking lots and better enforcement. Folks coming to the Recreation Center are here to play and are able to walk from these parking lots. This will leave the parking along the street for the citizens which will make it easier for them to get in and out of their houses.

The Town Attorney added that the street belongs to the town and recommended that we try the signage and see if it that works before taking other measures.

Alderman Neal stated that if we have outgrown this facility, we need to find another place. Mr. Swisher stated that participation in our events have increased and has created problems here and recommended we try the temporary signs for no parking on one side of the street and with better signage at the parking lots.

Mayor Pro Tem Pinnix asked how many nights a week we have programs. Mr. Pages stated that there are programs seven nights a week most weeks. Alderman Hooker asked if the parking is a problem throughout the day or just in the evenings. Ms. Teague stated that whenever they have events which can be during the day and evenings.

Alderman Shifflette and Hooker supported the temporary signage also and then if that doesn't work we will take other action.

Mr. Harvey Pulliam stated that businesses have an occupancy rule that allows so many people in one space. If the Town rents this building and the owners can't provide adequate parking then we should go somewhere else. He then asked for the amount of rent the Town pays on this building. Mr. Swisher stated that rent is \$5,500 per month.

Alderman Neal stated that if we pursue another place it will cost more and if the Town proposed to close the building we couldn't get all the people in this room that would be opposed. He added that they are tax payers too. Mr. Pulliam suggested the Town charge more for the programs to cover the additional fees.

5. 2014 Annual Reports and Budget Requests: Kernersville Chamber of Commerce

Mrs. Sunni Lauten, President of the Chamber of Commerce presented the Chamber's Annual Report and budget request for fiscal year 2014-15. She highlighted the excellent job by the Chamber Staff, the numerous events and programs sponsored by the Chamber throughout the year. She noted the awards and recognitions given out each year to participants, she reported on the success of the educational grant program and the economic development efforts. She pointed out the new downtown kiosk, advertising efforts and downtown events planned throughout the year. Mrs. Lauten then made herself available for questions.

Kernersville Cares for Kids

Mr. Doug Kiger, Chairman of the KCK presented the annual report and budget request for fiscal year 2014-15. He explained that KCK is a non-profit organization that works with our schools to get out the "anti-drug" message to our students. He announced that KCK is recognized by the NC School Board Association as a model program. KCK Leaders participated in a leadership program this year and gave out three \$500 scholarships.

Mr. Kiger presented the following statistics to measure the success of the "It's My Call" program. Last year East Forsyth and Glen High Schools had an average participation of 87.5% which outweighs the combined participation by all the other high schools in the county. We had the same thing happen for our middle schools. KCK is a firm believer that we need to start this program in our middle schools if we want to continue our success with this program. He then thanked the Board of Alderman, the Police Department, Dr. Martin and all Board members in attendance for all their support of this program.

Mr. Kiger invited everyone to attend this year's fund raiser Lunch n Listen on April 24th. The keynote speaker is JR Gorham, a Brigadier General and Commissioner of the Division of Juvenile Justice.

Community Appearance Commission

Mr. Allan Asbell, Chairman of the CAC presented the annual report and budget request for fiscal year 2014-15 for the Community Appearance Commission. He offered his condolences in the passing of the Mayor's father. He recognized CAC members in attendance. He then highlighted the year's events and activities sponsored by CAC which included the installation of numerous Christmas statues and blinkie lights throughout downtown, anti-litter campaign, and painting of the fire hydrants. He then commended Sharon Richmond of the Community Development Department for all her efforts with CAC. He stated that it is all about giving back to the community. He stated that he has enjoyed working with the Town over the years and thanked the Board for their support. He made himself available for questions.

6. Consideration of a Request to hold the How is Your Heart Project in the Town Hall & Allegacy parking lots.

Mr. Alvin Borders, President of How is Your Heart Project – thanked the Board for granting permission to hold last year's heart walk and would like to do this again this year. He stated that he had requested use of this room (the courtroom) for a play but would like to withdraw that

request. He stated that this program is an on-going collaboration with other groups such as churches. He stated that last year the Chamber participated and the Director joined in the walk.

Mr. Borders stated that the play consists of 4-6 cast members and they had requested permission to hold it here in this room. However, have reconsidered and will find another location.

Mr. Swisher stated that we haven't generally allowed the courtroom to be used by groups such as this in the past and mentioned only a few the situations where it has been used. He added that an employee would be needed on site during the play however; Mr. Borders has agreed to pay for the employee. The doors will already be open for the Farmer's Market held that day. Mr. Swisher was concerned that we would be setting a precedent and we don't have the resources to let groups use the courtroom.

Mr. Borders again stated that they withdraw their request to use the courtroom but would like to hold their play outside in the courtyard.

Mayor Pro Tem Joe Pinnix made a **Motion** to approve a request by the How is Your Heart Project group to use the Town Hall and Allegacy parking lots on June 28th. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

7. Continued Discussion by the Residents of Manorwood Drive.

Mr. John Barrow, 518 Bent Creek Trail, Kernersville, NC – stated that residents met with Representatives from Deere-Hitachi last Saturday and believes that we are working towards a resolution. He asked to be included on the May agenda.

8. Consideration of a Professional Services contract with Raftelis Financial Services for a Long Range Strategic Plan for Stormwater. (Tabled from March 4th)

Mr. Maltba presented the history of the five year plan after receiving a permit from the State in 2005. He presented several sample plans for the Board to review. He added that the five year plan previously adopted did not include a long term plan. The plan we are proposing will include intermediate and long term strategic goals and will provide us with environmental and economic impacts of our stormwater plan. We are looking out into the future and the best way to meet our legal requirements with the least impact on the environment.

Mr. Maltba stated that the study will provide a soil analysis, identify our strengths and opportunities and a way to measure those to make sure that we are meeting our goals for ten years. The plan will review our current assets and will create a master plan, a 10 year prioritization capital improvement program and monitor the program for each one of the established goals.

Alderman Hooker stated that a plan will give us a measure of compliance and may save money over the years.

Mayor Morgan asked if the plan would identify any drainage issues. Mr. Maltba stated that the plan is expected to cover a little of everything.

Alderman Crews stated that this is a safety feature for the Town. He noted that if the Town gets fined just once we have doubled our expenditure.

Alderman Neal asked why we can't follow instructions provided by the State instead of having this plan. Mr. Maltba stated that we are in five different watersheds and this is more complex than Staff can handle.

Alderman Neal expressed a concern with the lost tax base because of overkill on regulations. Mr. Swisher stated that this plan will help us maximize our resources to minimize the impact these regulations have on the Town. Alderman Neal spoke about the situation with JC Faw and his not being in compliance. Mr. Swisher reminded the Board that these are mandated regulations whether we agree with them or not and projected that the cost will continue to increase. He reminded the Board that if the Town gets fined then everybody will have to pay for it.

Mayor Pro Tem Pinnix asked if the other proposals submitted were by qualified companies. Mr. Maltba stated we contacted the company most qualified to help us with this and then negotiated a price for the plan.

Alderman Tracey Shifflette made a **Motion** to approve a Professional Services contract with Raftelis Financial Services for a long range Strategic Plan for Stormwater. Alderman Keith Hooker seconded the motion. The vote was 3-2 and motion carried. Vote in opposition: Alderman Neal and Crews.

9. Consideration of a Resolution Adopting a Remedy for Groundwater Impacts at the Closed Landfill in Kernersville.

Mr. Maltba reminded the Board of the discussion at the Board's Briefing. He stated that we received a notice by the State to provide a groundwater corrective action plan due to a chemical leak at the landfill. Our Engineers have studied this issue and put together a corrective plan of action.

Alderman Hooker asked if the State has indicated their approval of this plan. Mr. Maltba explained that the State has reviewed the plan and did give tentative approval. We will continue to monitor the landfill every six (6) months. If the plan is not approved by the State we would also be required to submit another plan. If this plan does not work we will be required to do something else also.

Alderman Keith Hooker made a **Motion** to approve the following resolution adopting a Remedy for Groundwater Impacts at the closed landfill in Kernersville. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

RESOLUTION NO. R-2014-06

**RESOLUTION BY THE TOWN OF KERNERSVILLE, NORTH CAROLINA
TO ADOPT MONITORED NATURAL ATTENUATION PLUS PHYTOREMEDIATION AS THE
REMEDY FOR GROUNDWATER IMPACTS
AT THE CLOSED KERNERSVILLE LANDFILL**

WHEREAS, the North Carolina Solid Waste Management Regulations [15A NCAC 13B.0500, et. seq.; 15A NCAC 13B.0600, et. seq.; and NCGS 130A-309.27] require the owner of a closed landfill to perform post-closure monitoring of groundwater quality at the facility, and such facilities are subject to the “Classification of Water Quality Standards Applicable to the Groundwaters of North Carolina” [15A NCAC 2L], which requires assessment of the nature and extent of any exceedance of water quality standards and submittal of a plan for corrective action;

WHEREAS, on May 13, 2013, the Town of Kernersville and its consultants submitted a *Groundwater Assessment Report* for the closed Kernersville Landfill (Permit No. 34-04) delineating the nature and extent of landfill constituents detected in the groundwater of the facility in exceedance of water quality standards;

WHEREAS, in a letter dated July 16, 2013, DENR approved the *Groundwater Assessment Report*, and required the Town of Kernersville within one year of receipt of that letter to select a remedy to restore groundwater quality at the facility; and

WHEREAS, the Town of Kernersville and its consultants have concluded that a combination of Monitored Natural Attenuation (MNA) plus Phytoremediation will be the most appropriate and cost-effective remedy;

NOW, BE IT RESOLVED, that the Town of Kernersville Board of Aldermen supports and approves the adoption of MNA plus Phytoremediation as the selected remedy for restoration of groundwater quality at the closed Kernersville Landfill.

Adopted by the Town of Kernersville Board of Aldermen on April 1, 2014.

10. Consideration of pursuing a Land Use Plan change as recommended in the Land Use Plan – Area Study.

Mr. Hatling, Community Development Director stated that Staff was directed to work with the Planning Board to develop a Land Use Plan –Area Study of the eastern portion of Old Winston Road, southern portion of South Cherry Street and Southern Street area. The Planning Board reviewed the current draft area plan and recommended no changes. He added that Staff is requesting further direction by the Board:

1. to proceed with a formal public hearing process for considering amendments to the Land Use Plan or
2. require developers to request Land Use Plan amendments as they submit rezoning proposals.

Alderman Neal supported a thorough review of the plan and considering amendments as recommended. Mr. Hatling stated that the alternative is to consider amendments as they come up and on a case by case basis.

Alderman Keith Hooker pointed out that the Planning Board recommended a public hearing process and amending the plan. He stated that if we don't follow that format, we may end up with piece meal development in this area. Mr. Swisher and Mr. Hatling agreed.

Rick Dapper, 208 Holly Tree drive, Kernersville, NC – stated that he lives in the area and attended the Planning Board meeting. He stated that he is a property owner and cares about the area. He supports the formal process and public hearing to get the citizens input. He stated that Planning Board heard a presentation by the Planning Staff however, this Board has had the benefit of being able to study the report.

Mr. Dapper added that in the southern and western areas, the current plan recommend mixed uses which include industrial uses in the definitions. He stated that he did not want industrial adjacent to his property. He stated that there is mention of overlays but he has not been able to find any information on the website about that. He stated that he would like to know what the special overlay districts are. He added that the western area density of 12/units per acre is recommended and he would like to see that lowered.

Alderman Keith Hooker made a **Motion** to proceed with a formal Public Hearing process. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

11. **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 26, 2014, Briefing Session
Approval of Minutes for March 4, 2014, Regular Session
Approval of Minutes for March 4, 2014, Closed Session**

C-2 Forsyth County Tax Refunds

Fulp Arnold D Trustee	\$12.76	Chev listed on Real Estate & Bus Acct. 1
Fulp Arnold D Trustee	\$12.41	Chev listed on Real Estate & Bus Acct. 2
Fulp Arnold D Trustee	\$11.96	Chev listed on Real Estate & Bus Acct. 3

C-3 Consideration of a Municipal Agreement with NCDOT for improvement to WS Northern Beltway from I-40 Business/US 421 to US 158.

C-4 Renewal of the Agreement with the North Carolina High School Athletic Association for the use of the Cross Country Course at Ivey Redmon Park.

C-5 Consideration of Declaring Police & Fire Radios Surplus Property and Authorize Trade-in.

Alderman Tracey Shifflette made a **Motion** to approve the Consent Agenda as presented. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

12. ITEMS REMOVED FROM CONSENT AGENDA.

None presented.

13. SPEAKERS FROM THE FLOOR.

None presented.

14. TOWN MANAGER’S REPORT AND MISCELLANEOUS.

No report given.

15. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

Town Attorney John Wolfe read a resolution for the acceptance of Kernersville Medical Parkway. He stated that this has been a long process and asked the Board to consider a Resolution to dedicate Kernersville Medical Parkway as shown on a plat identified as Kernersville Medical Parkway and dated December 16, 2013. He added that there may be a later amended date and asked that it be accepted as amended and that it be adopted as part of the Town’s street system authorizing the Mayor, Town Manager, Town Attorney, Community Development Director to finalize and sign off on the respective parts.

Alderman Tracey Shifflette made a **Motion** to accept Kernersville Medical Parkway as recommended by the Town Attorney. Mayor Pro Tem Joe Pinnix seconded the motion and the vote was all for and motion carried.

16. MATTERS TO BE PRESENTED BY THE MAYOR AND BOARD OF ALDERMEN.

Alderman Kenny Crews thanked everyone for coming tonight.

Alderman Irving Neal invited everyone to the dedication of the Baseball Pressbox at East Forsyth High School on April 24th at 6:30 PM.

Mayor Pro Tem Joe Pinnix thanked the Mayor for attending the meeting tonight and offered his condolences in the passing of her father.

Alderman Keith Hooker announced that April is Child Abuse Prevention month and Autism Awareness month and invited everyone to attend events on April 17th and April 24th.

Mayor Morgan expressed her appreciation for the support she has received this week.

17. 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 9:29 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 April 1, 2014.

This the 8 day of May, 2014.



Dale F. Martin, MMC, Town Clerk