

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
BRIEFING SESSION OCTOBER 29, 2014**

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

Absent: None.

Staff Present: Curtis L. Swisher, Town Manager; Jayne Danner, Deputy Town Clerk; John Wolfe, Town Attorney; Jeff Hatling, Community Development Director; Steve Bowman, Police Captain; Terry Crouse, Fire Rescue Chief; Doran Maltba, Public Services Director; Ernie Pages, Parks and Recreation Director; Gray Cassell, Chief Information Officer; Franz Ader, Finance Director and Ray Smith, Human Resources Director.

Call to order and invocation.

Mayor Dawn Morgan called the meeting to order and Alderman Tracey Shifflette delivered the invocation.

1. Briefing on the November 4, Regular Meeting Agenda.

Mayor Morgan noted the ceremonial item on the Agenda, the recognition of former Planning Board member Darrell Davis, and former Board of Adjustment Member Louis Thibodeaux.

**Item # 1 PUBLIC HEARING: Ray Thomas, Attorney for Triad Baptist Church for multiple properties located at the southern terminus of Whicker Road via South Main Street, also known as the Whicker Road Extension, being all of PIN#(S) 6875-67-0415, 6875-57-4408, 6875-57-7329 and 6875-46-8871 containing a total of 92.87 acres more or less. Petitioner requests a Single & Two Phase Special Use District Rezoning from Single Family Residential and Highway Business-Special Use (RS12, RS20, and HB-S) to Institutional & Public-Special Use District (IP-S). Requested Use(s): *Multiple Uses*
*Requested Zoning Docket K-730***

Jeff Hatling Community Development Director briefed the Board on this rezoning request. He reported that the Planning Board and Staff recommend approval of the request with conditions presented. He noted that there were some changes in the language for the conditions for landscaping, signage, pedestrian access and lighting. He also noted that there is a correction to condition number 7B in the Planning Board report. He added that adjacent neighbors have expressed concern about connectivity.

Alderman Irving Neal expressed concern that the Town requires the petitioner to have a turnaround at the end of the street that is a part of Duke Energy's right of way. He added that the neighbors aren't in favor of this either for fear of potential dumping or creating a parking issue.

Mr. Hatling advised that the Town's Design and Construction Specification Manual states that a turnaround is required of any public street that is closed that was intended to be a through street. He added that the Board of Aldermen can amend this through an Ordinance amendment, however it is a 60 day process. He noted that this was also a requirement when Little John Road was closed for the construction of the VA Clinic.

Mr. Doran Maltba, Public Services Director stated that this allows for safer turn around for public service vehicles and fire trucks. He also added that the Town will pick up items that are dumped in situations like this and the offenders can be prosecuted.

Mayor Morgan asked if the manual was available to view this evening and asked if it would be reasonable for the Board to remove this requirement for all roads impacted by transmission lines and the new Jordan Lake Bufferyard Rules.

Mr. Wolfe advised that the Board could make these new provisions, however these provisions cannot be applied to the case that will be before the Board on Tuesday, that the Ordinance amendment would need to go through the process as Mr. Hatling advised.

Alderman Crews requested that the Staff contact Duke Energy for possible options to address these situations.

Mayor Morgan recognized Dwight Moore.

Dwight Moore, Triad Baptist Church representative stated that he has been in touch with a representative from Duke Energy who advised that their policy states that cul-de-sacs or turnarounds cannot be constructed in any Duke Energy right of way, that the road would have to be extended the distance of the width of the right of way and built there including sidewalk, curb and gutter, in addition a chain link fence with 14 ft. gates would have to be installed to limit access to the property.

Mr. Doran Maltba advised that he has just looked the requirement up in the Town's Design and Construction Manual in the UDO Street Design Standards Chapter, Roadway Design Section, Sub Section B - T Shaped Turnarounds and found there is an exception if the property line is within 300 feet of the nearest intersection.

Mr. Hatling stated that the nearest intersection is probably within 140 feet.

Mayor Morgan read from the Town's Design and Construction Manual "*Permanent T-shaped turnarounds shall be built in accordance with the Construction Standards of this manual and utilized only when topography prohibits the construction of a circular turn-a-round.*"

In cases where a street is to be built to the adjoining property lines, and said street is to be extended in the near future, or said street is less than 300' from the nearest adjoining street, a modified T-shaped turnaround may be used in accordance with the Construction Standards of this manual.

Turnarounds are not required for stub streets less than 300' from the nearest intersecting street"

Mayor Morgan asked that Staff prepare revised conditions to reflect that a turnaround is not required in this rezoning request due to the proximity of the nearest intersection and that they be sent to the Board prior to Tuesday's meeting.

Alderman Neal asked about the type of lighting being used for the ball fields.

Mr. Hatling advised that all lighting has to be in compliance with the Town's UDO that requires a candlelight reading of zero so as not to negatively impact the adjoining properties.

Item # 2 PUBLIC HEARING: Jose Landa, Pastor for Iglesia Misionera Cristo Vive for property located at 202 West Bodenhamer Street, being all of PIN#(S) 6886-35-3890, 6886-35-3950 and 6886-35-3907 containing a total of 1.15 acres more or less. Petitioner requests a Single Phase Special Use District Rezoning from Single Family Residential (RS7) to Pedestrian Business-Special Use District (PB-S). Requested Use(s): Church or Religious Institution, Neighborhood, and Child Day Care Center Zoning Docket K-731

Mr. Hatling also briefed the Board on this rezoning request. He reported that the Planning Board and Staff recommend approval of the rezoning request and site plan with conditions as presented. He added that no opposition was received.

Item # 4 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 October 1, 2014 Briefing Session**
- Approval of Minutes for October 1, 2014 Closed Session**
- Approval of Minutes for October 7, 2014 Regular Session**
- Approval of Minutes for October 7, 2014 Closed Session**

Mayor Morgan noted the Minutes on the Consent Agenda.

- C-2 Multi-Jurisdictional Hazard Mitigation Plan Review – 2014**

Mr. Hatling advised that this plan is a federal requirement that the County has to adhere to. He added this is not a plan setting policy and procedure, it is more a cataloguing of the plan based on a template provided by the federal government.

- C-3 Consideration of a Resolution Setting the Public Hearing of a voluntary annexation (Satellite) petition by DTRT Colfax Pipe, LLC for property located at 9609 West Market Street.**

Mr. Hatling stated that Colfax Pipe has petitioned the Town for annexation as they plan to upgrade the plant which will require sewer service. He added that Staff recommends annexation and rezoning of this property and that the Public Hearings will be on the December agenda. Mr. Swisher advised that Colfax Fire Department will continue to serve the plant based on the fire agreement with the Town.

C-4 Consideration of recommendation for appointment to the Forsyth County Historic Properties Commission.

Mayor Morgan noted that Jim Davis is eligible to serve another term on the Forsyth County Historic Properties Commission and that he is the recommended appointment.

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

Alderman Tracey Shifflette stated that citizens have expressed concern at the lack of street lights on Beeson Road and especially at the intersection of Shields and Beeson Road.

Mr. Doran Maltba, Public Services Director stated that the Town is currently in the process of transferring maintenance of Beeson Road from NCDOT to the Town. He added that when that process is complete street lights will be installed. He asked if the Board would prefer a standard light pole or a decorative light pole.

Mayor Morgan asked Mr. Maltba to obtain costs estimates for both styles of poles for the Board's consideration.

Alderman Irving Neal stated that there are several upgrades, such as landscaping and lighting at the entrance sign, needed at the Ivey M. Redmon Sports Complex.

Mr. Swisher suggested that solar lights could be installed at the Ivey M. Redmon Park entrance sign as a temporary solution since there is not a power source currently and won't be until the Town takes over the street and installs street lights.

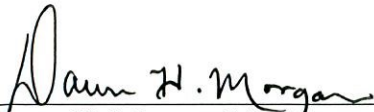
Alderman Tracey Shifflette made a **Motion** to go into Closed Session at 7:33 p.m. to discuss certain matters which fall within the Attorney Client privilege as permitted by NCGS 143-318.11(a)(3). Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

The Board returned to Open Session at 8:45 p.m.

3. Adjournment

Alderman Keith Hooker made a **Motion** to adjourn the meeting at 8:45 p.m. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Board the meeting adjourned immediately following the closed session.


Dawn H. Morgan, Mayor

Attest:


Jayne Danner, MMC, NCCMC 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 October 29, 2014.

This the 9th day of December, 2014.


Jayne Danner, MMC, NCCMC Deputy Clerk