

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
March 14, 2016**

The Village of Clemmons Council met on Monday, March 14, 2016, at 7 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Nelson, Council Members Cameron, Combest, Farmer, Rogers and Wrights. Attorneys Warren and David Kasper were also present.

Call to Order & Pledge of Allegiance

Mayor Nelson called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

Public Comments

There were approximately 13 citizens in attendance. There were two individuals signed in to speak.

- Art Frauenhofer, 3080 Upland Place – expressed his concerns over rapid growth in Clemmons.
- C. Robin Dean, 3523 Lawrence Street – expressed his concerns with the visibility of oncoming traffic from Winston-Salem at Stadium Drive and Highway 158/Clemmons Road stating would like to see a 25mph speed limit instituted and enforced.

Approval of the Minutes

Council Member Rogers moved to approve the minutes of the February 22, 2016 regular meeting as presented. The motion was seconded by Council Member Cameron and unanimously approved.

Approval of the Agenda

Council Member Rogers requested that Business Item “B. Policy and Procedure for the Acquisition and Sale of Real Property Discussion” be removed from the agenda and added to the Retreat Agenda.

Council Member Rogers moved to approve the agenda as amended. The motion was seconded by Council Member Cameron and unanimously approved.

Announcements

- A. Proclamation – March 2016 as March for Meals Month – Mayor Nelson read a Proclamation declaring March 2016 as March for Meals Month (attached hereto as Exhibit A and incorporated as part of the minutes)..
- B. Upcoming Events – Mayor Nelson advised of Coffee with a Cop on Monday, March 28 from 1:30pm - 3:00pm at Dairi-O and Medicine Drop at Clemmons Fire Department (James Street) on Saturday, April 4 from 10am – 2pm.

Business

- A. Public Hearing
 - 1. Zoning Map Amendment for Paul Hari from RS-15 and RS-15 to GB-S (General Business-Special Use) (Zoning Docket C-211) - Planner

Ledbetter explained the zoning request and reviewed the site plan. The petitioner is requesting to rezone from RS-15 and RS-15 to GB-S (General Business-Special Use) as described from the point beginning; BEGINNING at an iron located in the northern right-of-way of Amp Drive (State Road 3512), said iron being the Southeast corner of the property of Gilbert T. Davis and Rodman Mills, as recorded in Deed Book 1397, Page 1759, Forsyth County Registry, and being the Southwest corner of the within described tract; thence with the Eastern and Northern lines of Davis and Mills the following two courses and distances, North $02^{\circ} 46' 15''$ East 376.90 feet to a concrete monument, the northeast corner of Davis and Mills; thence North $85^{\circ} 45' 33''$ West 75.0 feet to a concrete monument located in the East line of the property of Jack L. Holder (DB 1534, P 1451); thence with Holder's east line, North $02^{\circ} 10' 44''$ East 215.32 feet to an iron, the Northwest corner of the within described tract, and also being located in the Southern line of the property of Sabre Properties, Inc. as recorded in Deed Book 1565, Page 1364 and Deed Book 1565, Page 1867; thence South $85^{\circ} 56' 37''$ East 267.82 feet to a concrete monument; thence continuing South $85^{\circ} 56' 37''$ East 89 feet to an iron; thence on a new line the following three courses and distances, namely, South $03^{\circ} 58' 23''$ West 235.27 feet to an iron; thence South $00^{\circ} 41' 04''$ East passing an iron at 124.94 feet a total distance of 307.40 feet to an iron located at the northeast terminus of Amp Drive; thence with the northern right-of-way line of Amp Drive along the arc of a curve to the right, said curve having a radius of 911.70 feet and a chord call and distance of South $82^{\circ} 11' 41''$ West 100.74 feet to an iron; thence continuing with the northern right-of-way line of Amp Drive, South $85^{\circ} 15' 05''$ West 195.78 feet to an iron the point and place of beginning, containing 4.161 acres more or less. The Petitioner is requesting the following uses: Hotel, Stadium, Coliseum, or Exhibition Hall. Planning Board unanimously recommended approval with the following conditions: a parking agreement in place with the property owner to the East, powder-coated fence around the retention pond (if necessary), and "No Parking" signs on Amp Drive. The Petitioner has agreed to the conditions. Staff's recommendation is approval as well as the intent of the Village Point small area guidelines have been met (attached hereto as Exhibit B and incorporated as part of the minutes).

Mayor Nelson opened the public hearing. There was one Proponent signed up to speak:

-Paul Hari with Balaji Real Estate, 614 Eden Rock Road, Lewisville, NC – presented a PowerPoint presentation outlining proposed site and its uses. He advised this parcel is approximately 4.16 acres. There will be 60 hotel rooms along with a banquet hall facility with an occupancy of 480 people.

There was one Opponent signed up to speak:

-C. Robin Dean, 3523 Lawrence Street – expressed his concerns about the site due to traffic and safety. He stated that the U-turns at Towncenter Drive and

Allegacy Way are an undesirable traffic maneuver. He stated he would request that the drivers of construction vehicles as well as customers make right turns instead.

There was no rebuttal.

There being no one wishing to speak, Mayor Nelson closed the public hearing.

Council Member Rogers made a motion to adopt the statement of conformity to approve Zoning Map Amendment for Paul Hari (Hotel) - Zoning Docket C-211. The motion was seconded by Council Member Wrights and unanimously approved.

- B. Attorney's Report – Attorney Warren Kasper advised that the closing for the Wrights Heirs property will take place tomorrow morning, March 15, 2016. He also stated that the first portion of the library property (house on Cook Avenue) was closed on Friday, March 11, 2016. He is awaiting the original deed and title insurance policy to be returned and will then provide to Clerk Shortt.
- C. Planner's Report – Nothing to report.
- D. Manager's Report -
 1. Sheriff's Report for January 2016 – Assistant Manager/Public Works Director Gunnell presented the report.

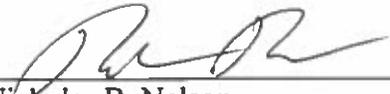
Assistant Manager/Public Works Director Gunnell presented the Retreat Agenda Draft and requested all items be added for final agenda preparation by Monday, March 28, 2016.

- E. Council Comments – Council Member Cameron advised that she had attended the Forsyth County Library Board Meeting and had asked about input sessions with the architect present as other municipalities had done that. She was told that would be taken into consideration. She advised that the architect and the construction company for the library will be chosen at the same time.
- F. Closed Session for Discussion Under Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3) and to Discuss Property Acquisition in accordance with NCGS 143-318.11(a)(5) – Attorney Warren Kasper advised that discussion in accordance under subsection 5 needed to be added to closed session. Council Member Farmer moved to go into closed session for discussion under attorney-client privilege in accordance with NCGS 143-18.11(a)(3) and to discuss property acquisition in accordance with NCGS 143-18.11(a)(5) at 7:45 p.m. The motion was seconded by Council Member Wrights and unanimously approved.

At 9:17 p.m., Mayor Nelson stated that by unanimous vote Council chose to reconvene the open session. No action was taken.

Adjournment

Council Member Rogers moved to adjourn the meeting at 9:17 p.m. The motion was seconded by Council Member Farmer and unanimously approved.



Nicholas B. Nelson
Mayor

ATTEST:



Lisa Shortt, Village Clerk



**PROCLAMATION
MARCH 2016 AS MARCH FOR MEALS MONTH**

WHEREAS: on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS: Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS: the 2016 observance of March for Meals provides an opportunity to support Meals-on-Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation, including the Meals-on-Wheels program of Senior Services, Inc., which has served the Winston-Salem/Forsyth County community admirably for more than 53 years; and

WHEREAS: the Senior Services, Inc., Meals-on-Wheels program provides nutritious meals to seniors throughout the Winston-Salem/Forsyth County area, helping them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization and acts as a powerful socialization opportunity for thousands of seniors to help combat loneliness and isolation; and

WHEREAS: the Meals-on-Wheels program of Senior Services, Inc., and its volunteers, who are the backbone of the program, delivering nutritious meals to individuals who are at significant risk of hunger and isolation, as well as caring concern and attention to their welfare, deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation.

NOW, THEREFORE, I, NICKOLAS B. NELSON, Mayor of the Village of Clemmons, North Carolina, do hereby proclaim March 2016 as **MARCH FOR MEALS MONTH** And urge every citizen to take this month to honor the Meals-on-Wheels program of Senior Services, Inc., the seniors it serves and the volunteers who care for them.

Given under my hand and seal this 14th of March, 2016.

Nickolas B. Nelson
Mayor

Attest:

Lisa M. Shortt
Village Clerk



**ORDINANCE AMENDING THE VILLAGE OF CLEMMONS ZONING ORDINANCE
OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO) AND
ZONING MAP OF THE VILLAGE OF CLEMMONS, NORTH CAROLINA**

Zoning Petition of Paul Hari (Hotel, Stadium, Coliseum or Exhibition Hall)

Ordinance Number 2016-05

BE IT ORDAINED by the Village of Clemmons Council as follows:

Section 1. The Village of Clemmons Ordinance of the Unified Development Ordinance (UDO) and the Official Map of the Village of Clemmons are hereby amended by changing the zoning classification **from RS-15 and RS-15 to GB-S (General Business-Special Use) (Zoning Docket C-211)**

Legal Description for Paul Hari

The property is described as described from the point; BEGINNING at an iron located in the northern right-of-way of Amp Drive (State Road 3512), said iron being the Southeast corner of the property of Gilbert T. Davis and Rodman Mills, as recorded in Deed Book 1397, Page 1759, Forsyth County Registry, and being the Southwest corner of the within described tract; thence with the Eastern and Northern lines of Davis and Mills the following two courses and distances, North 02° 46' 15" East 376.90 feet to a concrete monument, the northeast corner of Davis and Mills; thence North 85° 45' 33" West 75.0 feet to a concrete monument located in the East line of the property of Jack L. Holder (DB 1534, P 1451); thence with Holder's east line, North 02° 10' 44" East 215.32 feet to an iron, the Northwest corner of the within described tract, and also being located in the Southern line of the property of Sabre Properties, Inc. as recorded in Deed Book 1565, Page 1364 and Deed Book 1565, Page 1867; thence South 85° 56' 37" East 267.82 feet to a concrete monument; thence continuing South 85° 56' 37" East 89 feet to an iron; thence on a new line the following three courses and distances, namely, South 03° 58' 23" West 235.27 feet to an iron; thence South 00° 41' 04" East passing an iron at 124.94 feet a total distance of 307.40 feet to an iron located at the northeast terminus of Amp Drive; thence with the northern right-of-way line of Amp Drive along the arc of a curve to the right, said curve having a radius of 911.70 feet and a chord call and distance of South 82° 11' 41" West 100.74 feet to an iron; thence continuing with the northern right-of-way line of Amp Drive, South 85° 15' 05" West 195.78 feet to an iron the point and place of beginning, containing 4.161 acres more or less, all according to a survey by Sutton-Kennerly & Associates, dated November 15, 1993. The above described property is the western portion of Lot 83 A, Block 4233, Forsyth County Tax Maps as presently constituted. This conveyance is made subject to easements and restrictions of record, if any, and subject particularly to that 10 foot utility easement as recorded in Deed Book 1393, Page 54, Office of Register of Deeds of Forsyth County, North Carolina.

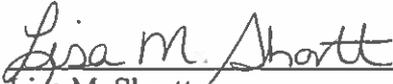
Section 2. This ordinance shall be effective from and after its adoption.

Adopted this the 14th day of March, 2016.



Nickolas B. Nelson
Mayor

ATTEST:



Lisa M. Shortt
Village Clerk

