

**REGULAR MEETING OF
THE VILLAGE OF CLEMMONS COUNCIL
April 13, 2015**

The Village of Clemmons Council met on Monday, April 13, 2015, at 7 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Nelson and Council Members Cameron, Denny, Lawry and Rogers. Council Member Roark was absent.

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 20 citizens in attendance. One individual signed in to speak:

C. Robin Dean, 3525 Lawrence Street, Clemmons, NC, expressed concerns over the traffic on Lewisville-Clemmons Road and wants the Idols Road extension removed from STIP.

Approval of the Minutes

Council Member Lawry moved to approve the minutes of the March 23, 2015 regular meeting as presented. The motion was seconded by Council Member Rogers and unanimously approved.

Council Member Rogers moved to approve the minutes of the March 26, 2015 retreat meeting as presented. The motion was seconded by Council Member Lawry and unanimously approved.

Approval of the Agenda

Interim Manager Kirby requested an addition to Item H. Manager's Report:

4. Website Update

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

Announcements

Interim Manager Kirby advised of the Budget Workshop to be held on Monday, April 27, 2015 at 5 p.m. and he will be out of the office on vacation Tuesday, April 14 – Friday, April 17, 2015 but can be reached by cell phone or Director of Public Works, Mike Gunnell and Planner, Megan Ledbetter will be persons to contact.

Business

- A. Towncenter Drive - STIP Approval for U-5551 – New Route, East of SR 1101 (Harper Road) to SR 1103 (Lewisville-Clemmons Road) in Clemmons – Mayor Nelson announced the STIP approval from NCDOT and the award of \$1.9M from the Transportation Investment Strategy Fund. Road construction should begin soon.
- B. Public Hearing on Zoning Docket C-203 The Retreat at Clemmons – *Zoning Map Amendment of The Retreat at Clemmons from LO-S and RS-15 to RM-12-S*

Multifamily; Residential Building. The property is described as a portion of parcel 5893-30-9990 and 5893-30-8703. The property has access off located on Highway 158 and Kinnamon Village Drive. The property is described of a portion of Block 4226 012D BEGINNING at a new iron pipe in the western right-of-way line of Clemmons Road (Highway 158) , said iron pipe being the southwest corner of the Louise H. York property described in Deed Book 525, Page 98 and Deed Book 688, Page 2 both Forsyth County registry; and thence with the said western right-of-way line of Clemmons road, southwest 40 feet to the south 48 degrees 54 minutes 58 seconds; thence Northwest 298.7 Feet to North 41 Degrees 23 Seconds 42 minutes; thence Southwest 208.3 Feet to South 48 degrees 19 minutes 53 seconds to the northeastern boundary line of the Clemmons Tackle shop property as described in Deed book 2027, page 2596, Forsyth County registry; thence North 46 Degrees 41 minutes 25 Seconds West 316.09 Feet of the Charles Hooper-The Cook Place Subdivision described on Plat Book 4 Page 34(2), Forsyth Country Registry; thence with the eastern boundary line of the Charles B. Hooper-The Cook Place Subdivision, North 0 Degrees 38 minutes, 15 Seconds West 347.87 to an existing iron pipe, said iron pipe being in the eastern boundary line of Lot 9 of the Charles B Hooper-The Cook Place Subdivision and a common corner with the John K. Thomas property as described in Deed Book 1782 Page 34532, Forsyth County Registry, thence the southern boundary line of the said Thomas property, South 89 degrees 20 minutes 48 seconds East 177.53 feet to an axle; thence with the an eastern boundary line for the said Thomas property, North 1 Degree 15 minutes 52 Seconds East 120.97 feet to an existing iron pipe, said iron pipe being the southeast corner of the John Keith Thomas and Bruce property described in Deed Book 1767, Page 3906, Forsyth County registry thence the eastern boundary line of the Thomas property North 1 degrees 13 Minutes 03 Seconds East 99.92 Feet to an existing iron pipe, said iron pipe being the southwestern corner of Lot 17 as shown on the map of Sides Place in Plat Book 8, Pages 158-159, Forsyth Country Registry; thence with the southern boundary line of said lot 17 South 88 degrees 00 minutes 06 seconds east 16.27 feet to a new iron pipe, said iron pipe being the northern most corner of the Gladys D Cumby property described in Deed Book 518, 291 Forsyth County Registry; thence with the southwestern boundary line of the said Cumby property, South 46 Degrees 57 Minutes 11 seconds east 660.27 feet to an existing iron pipe, said iron pipe being the northernmost corner of the Sally A. Warner property and the Louise H. York property as aforesaid, the following two calls and distance: (i) South 42 Degrees 55 Minutes 12 Seconds West 99.65 feet to an existing iron pipe; thence with the southwestern boundary of said Louise H. York property, South 47 degrees 16 minutes 30 seconds East 198.63 feet to the point and place of beginning; and containing 4.36 acres more or less as well as Block 4226 012C, The BEGINNING point for the description is reached by going North 46 Degrees 35 minutes 24 seconds West 100 from the existing ¼ inch iron pin on the inside base of a willow tree, which point creates the southwest corner of the Louise H. York lot (now or formerly) (further identified as lot 14, Block 4226) to a new ½ inch iron pin. From said beginning point going thence on a new line South 43 Degree 02 Minutes 07 seconds West 249.50 feet to a ½ inch new iron pin in the line of the Clemmons Tackle Shop property line of the Clemmons Tackle Shop property (now or formerly) (DB 2027 pg 2596) (Block 4226 Lot 11G);

thence with the common east line of the Clemmons Tackle shop going North 46 degrees 41 minutes 25 seconds west 316.15 feet to an existing ½ inch iron pin in the south line of lot 23, The Cook Place Property (Plat Book 4, page 34 (lots 23-29), North 00 Degrees 38 minutes 15 seconds west 347.87 feet to ¾ inch existing iron pin, a common corner for John K. Thomas and Bruce C. Thomas (DB 1782 pg 34530); thence South 46 Degrees 35 Minutes 24 seconds East 556.38 feet to a ½ inch new iron pin, the point and place beginning and being 2.502 acres as surveyed and platted for Carlos A Pereira. Containing approximately 2.34 acres. (Zoning Docket C-203) – Planner Megan Ledbetter presented the Staff Report for Zoning Docket C-203, The Retreat at Clemmons. Planner Ledbetter advised of access at Kinnamon Village Drive with a fire access gated gravel road off of Highway 158 and a possible Stadium Drive connection in the future. Planner Ledbetter stated from a land-use perspective, this is a proper use for the property, traffic generation would be nominal and the only concern being in terms of inner-connectivity with one way in and one way out. Planner presented the proposed elevation and advised of a condition that a 6' chain-link black powder-coated fence along property be installed and maintained.

Mayor Nelson opened the public hearing. Council Member Rogers made a motion to open the Public Hearing. The motion was seconded by Council Member Cameron and unanimously approved.

Linwood Davis, 812 Sylvan Road, Winston-Salem, Developer for Third Wave Housing, advised of the multi-family development project, The Retreat at Clemmons. Mr. Davis advised this is an 80-unit apartment complex with a total development cost of approximately \$9.5M - \$10M with \$6M equity from NC Housing Agency. Mr. Davis stated Third Wave Housing does not sell their projects and are focused on green communities utilizing Energy Star and Universal Development Principals. He also stated the primary access is at Kinnamon Village Drive which meets the Comprehensive Plan with future access to tie into Stadium Drive and would spur redevelopment of adjacent properties.

Ron Davis, 2590 Harper Road, Clemmons, stated the fence location runs along the duplexes on Stadium Drive to both corners of the property lines (approximately 275' out to Stadium Drive). He advised tenants of the shopping center are excited about customers being close by and that the gravel road could be modified/paved.

PJ Lofland, 1460 City Lake Drive, Clemmons, stated she is not against bringing more residents into Clemmons but is concerned about the types of housing and Clemmons should not encourage low-income housing but should consider townhomes and condos as homeownership promotes responsibility.

Carla Parks, 6166 Stadium Ridge Court, Clemmons, stated she is not for or against building on the property but prefers not to have apartments as this might create a pass-thru for pedestrians and littering but after hearing about the fence condition this alleviates her worries.

Dan Parks, 6166 Stadium Ridge Court, Clemmons, withdrew name.

Richard Angino, 463 Carolina Circle, Winston-Salem, Owner of Third Wave Housing, stated approximately 40-50% of the population would be over 50 years old with a full-time property manager on-site. All housing applicants would have to go through a criminal and financial background check. Mr. Angino advised the rent would be in the \$690-\$700 range.

There being no one else wishing to speak, Mayor Nelson closed the public hearing. Council Member Cameron made a motion to close the Public Hearing. The motion was seconded by Council Member Rogers and unanimously approved.

Discussion followed. Council Member Lawry stated land owners should have ability to develop whatever they choose but he is concerned about this type of property and adjacent property owners concern of stub connectors.

Council Member Cameron advised she agrees that it is a good use of land but concern is with the safe use of the land due to lack of connectivity. Council Member Rogers concurred stating the fire chief is concerned with approximately 300' gravel road and having to open a gate before arriving on scene of a fire.

Council Member Denny advised there is the same situation with the apartment complex located behind KFC and Chief Brooks is prepared to handle.

Mayor Nelson afforded the petitioner the opportunity to withdraw the petition. The petitioner declined to withdraw the petition.

Council Member Denny made a motion to adopt the statement of conformity as stated in the Staff Review and recommended approval of the zoning request consistent with that statement for Zoning Docket C-203. There was no second. Council Member Cameron made a motion to adopt the statement of conformity as stated in the Staff Review and recommended denial of the zoning request consistent with that statement for Zoning Docket C-203. The motion was seconded by Council Member Rogers and denied by a 3 to 1 vote with Council Member Denny voting in opposition.

- C. Resolution 2015-R-04 for Appointment of Lisa Shortt as Village Clerk/Personnel Officer - Resolution 2015-R-04 for Appointment of Lisa Shortt as Village Clerk/Personnel Officer was presented. (Attached hereto as Exhibit A and incorporated as a part of the minutes.)

Council Member Rogers moved to approve Resolution 2015-R-04 as presented. The motion was seconded by Council Member Cameron and unanimously approved.

- D. Presentation by Shannon Ford and Mike Gunnell – Marketing/Communications Director Shannon Ford recognized Public Works Director of Operations Steve

Gearren for successfully completing the requirements and earning the Manager of Environmental, Safety, and Health Certificate. Director of Public Works Mike Gunnell presented Mr. Gearren with a plaque. This program is sponsored by: the Safety and Health Council of NC, NC State University and NC Department of Labor. This is a rigorous series of continuing education programs totaling 100 credit hours which recognizes environmental managers and raises industry standards – providing a safer and more valuable working environmental for everyone.

- E. Attorney's Report – Nothing to report. Council Member Cameron requested the Village Attorney provide a written quarterly report to Council to keep informed of any legal items pending.
- F. Planner's Report
1. Update on Planning Board Work Session – Planner Megan Ledbetter advised the Planning Board is in the process of preparing the timeline for updating the Comprehensive Plan and the timeline should be available for the next Regular Council Meeting to be held on Monday, April 27, 2015.
 2. Update on Farmer's Market Opening Weekend – Planner Megan Ledbetter advised Farmer's Market will open Saturday morning April 18, 2015 and will be open on Thursdays from 4 p.m. – 6 p.m. and Saturdays from 8:30 a.m. – noon throughout October 31, 2015.
- G. Marketing Director News Releases
1. Social Media Policy Draft – Marketing/Communications Director Shannon Ford presented the Social Media Policy Draft.
 2. Tourism/Occupancy Tax Grant Application - Marketing/Communications Director Shannon Ford presented the Tourism/Occupancy Tax Grant Application Process.
- H. Manager's Report
1. Village Boards Ad – Council was advised of the Village Boards ad placement during the month of May 2015.
 2. Audio Files – Records Retention & Disposition – Manager Larry Kirby advised Council of the Standard for Audio File record retention and disposition as stating “dispose upon approval of written minutes”. Previously Council agreed to dispose of audio records after a period of six months.

Council Member Rogers made a motion to adopt a practice of disposing audio files after six months. The motion was seconded by Council Member Cameron and unanimously approved.
 3. Council Agenda Preparation/Revision Policy – Manager Kirby presented the Council Agenda Preparation/Revision Policy as requested by Council. (Attached hereto as Exhibit B and incorporated as a part of the minutes.)

Council Member Cameron moved to adopt the Council Agenda Preparation/Revision Policy as presented. The motion was seconded by Council Member Rogers and unanimously approved.

4. Website Update – Manager Kirby advised that effective today the redesigned website is up and running.
- I. Council Comments – Council Member Rogers provided an update on Clemmons Community Day that was held at Lowe’s Foods on Saturday, April 11, 2015. Council Member Rogers and Stormwater Technician Emily Harrison represented the Village of Clemmons handing out goodie bags to citizens. Council Member Rogers advised of the new web-based preemptive system on one of the firetrucks which adjusts the traffic signals as the firetruck approaches the intersection to allow for timely response to an emergency call.
- J. Closed Session for attorney-client privilege discussion in accordance with NCGS 143-318.11(a)(3) and property acquisition discussion in accordance with NCGS 143-318.11(a)(5).

Council Member Rogers made a motion to reconvene the regular meeting with no action taken during Closed Session. Council Member Cameron seconded the motion which was unanimously approved.

Adjournment

Council Member Rogers moved to adjourn the meeting at 10:45 p.m. The motion was seconded by Council Member Cameron and was unanimously approved.



Nickolas B. Nelson
Mayor

ATTEST:



Lisa Shørtt, Village Clerk



EXHIBIT A

Resolution Number 2015-R-04

RESOLUTION APPOINTING VILLAGE CLERK/PERSONNEL OFFICER

RESOLVED that Lisa Shortt be appointed Village Clerk/Personnel Officer for the Village of Clemmons.

Adopted this the 23rd day of March, 2015.

Nickolas B. Nelson
Mayor

ATTEST:

Lisa Shortt, Village Clerk/Personnel Officer



Standard Policy/Procedure

Title: Agenda Preparation/Revision

Department: Council

Location/File: V:\clemdocs\VOC Policies\Council\Agenda Preparation_Revision

Originated: 3/28/2015

Reviewed: 4/13/2015

Council Approved: 4/13/2015

Revised:

Purpose

It is the policy of the Village of Clemmons to establish expectations to allow consistency in the handling of agenda preparation/revisions for Council meetings which encourages communication between Council, Attorney and Staff members in a timely manner.

Responsibilities

Village Council and Attorney: A Council Member wanting to add an item to the agenda must first have the consent of two other Council Members to discuss the item to be added. The requesting Council Member will then email the Village Manager and cc: the Mayor, Village Clerk and the other Council members naming the two Council members agreeing to discuss item and advising of the addition to the agenda and whether or not there will be any attachments for the agenda packet. The Village Attorney will have agenda items with supporting documentation/attachments to be included in agenda packet.

Village Clerk: Prepare agenda packets and deliver for the upcoming Council meeting which is held on the second and fourth Monday of each month (or Tuesday if Monday is a holiday) as presented from Council, Attorney and Staff.

Timeline for Agenda

Day	Date	Time	Communication
MONDAY	Week prior to meeting	Before 4:30 pm	Draft agenda will be sent electronically to Council, Attorney & Staff for review.
WEDNESDAY	Week prior to meeting	By 10:00 am	Any agenda items for additions, deletions or revisions are due so Clerk can prepare revised draft agenda to be reviewed by Village Manager for final copy approval.
Thursday	Week prior to meeting	Before 5:00 pm (Goal: After Noon)	Clerk compiles all agenda items for printing, scanning and archiving, and prepares agenda packets for distribution to Council, Attorney, and Staff. Distribution is completed by in-person delivery. Agenda is sent via email to Sunshine List and posted on board outside of Town Hall and on website.
MONDAY (or Tuesday if Monday is holiday)		7:00 PM	Council Meeting