

**REGULAR MEETING OF  
THE VILLAGE OF CLEMMONS COUNCIL  
November 9, 2015**

The Village of Clemmons Council met on Monday, November 9, 2015, at 7 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Nelson, Council Members Denny, Lawry, Roark and Rogers. Attorneys Warren and David Kasper was also present. Council Member Cameron was absent.

**Call to Order**

Mayor Nelson called the meeting to order at 7 p.m.

**Pledge of Allegiance**

Members of Cub Scout Troop 736, along with their leader Jeff Banks, led the Pledge of Allegiance.

**Public Comments**

There were approximately 45 citizens in attendance. There were three individuals signed in to speak.

PJ Lofland, 1460 Lake Cottage Road, Clemmons, NC – expressed her thanks to Council Members Lawry and Denny for their service and has questions regarding the Village Point Drive contract approval which does not cover overages and whether or not the open meetings law was violated.

Art Frauenhofer, 3080 Upland Place, Clemmons, NC – expressed his concern over the possibility of a Publix grocery store going in at the corner of Peace Haven and Lewisville-Clemmons Road.

Cheryl Crook-Fryar, 3810 Old Rosebud Court, Clemmons, NC – expressed concerns over growing drug problem in Tanglewood Farms area.

**Approval of the Minutes**

Council Member Denny moved to approve the minutes of the October 26, 2015 regular meeting as presented. The motion was seconded by Council Member Roark and unanimously approved.

**Approval of the Agenda**

Manager Kirby requested three additions to the agenda: under Business “B. Open Meetings Law” and under F. Manager’s Report “2. Planning Board and Zoning Board of Adjustment Ad and 3. Federal Emergency Management”.

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

**Announcements**

- A. Mayor Nelson read the proclamation recognizing Veterans Day 2015 (Attached hereto as Exhibit A and incorporated as part of the minutes). He recognized and thanked Council Member Roark and other veterans for their service.

- B. Mayor Nelson advised that Village of Clemmons offices will be closed Wednesday, November 11, 2015 in observation of Veterans Day.
- C. Mayor Nelson and Manager Kirby recognized and presented a framed print to Clemmons Fire Chief, Jerry Brooks as the recipient of the 2015 Piedmont Fire Chief of the Year. Mayor Nelson and Manager Kirby thanked him for his dedicated service to the community. Chief Brooks expressed his appreciation and gratefulness to the staff and to be a part of this community.

### Business

- A. Public Hearing - Philip and Johanna Hoehns (Hanes) House as Local Historic Landmark Designation (Tax Block 4208, Tax Lot 036B and 040H) – property owners, Thomas A. Gray and Paul P. Zickell (Attached hereto as Exhibit B and incorporated as a part of the minutes). City-County Project Planner, Michelle McCullough presented the staff findings, report and recommendation for the first landmark application received from Clemmons which is authorized by state statute. She advised that the property meets Guideline C for Landmark Designation. She stated that currently there are 132 historic landmark property designations in Forsyth County and this makes number 133.

Mayor Nelson opened the public hearing. There were two proponents and no opponents that spoke.

#### Proponents –

Thomas Gray, 3550 Middlebrook Drive, Clemmons, NC – advised he is one of the owner/occupants of the property. The property was originally restored in 1946 and can never be developed. He advised that all of the restoration work in 2014-2015 is custom work. They have tried in every way to make the citizens of Clemmons proud. It is the oldest home in Clemmons and it was the family's desire to produce what is seen in Old Salem.

David Hauser, Current President of Clemmons Historical Society, 6118 Winview Heights, Clemmons, NC – praised Thomas Gray and Paul Zickell for the extraordinary job on the restoration and conservation of the property.

With there being no one else wishing to speak, Council Member Lawry stated to the property owner that he was delighted to take a tour and very impressed by the job they had done. Council Member Rogers thanked the property owner for the fencing work that had been done along Middlebrook Drive.

Mayor Nelson closed the public hearing. Mayor Nelson stated that not only is Mr. Gray the owner of the property but with his experience, he is an expert on the property and an incredible job was done with the restoration.

Council Member Rogers made a motion to adopt Ordinance 2015-08 designating the Philip and Johanna Hoehns (Hanes) House as Local Historic Landmark (Tax Block 4208, Tax Lot 036B

and 040H) – property owners, Thomas A. Gray and Paul P. Zickell. The motion was seconded by Council Member Denny and unanimously approved.

- B. Open Meetings Law – Council Member Roark requested the item be tabled to the next Council meeting.
- C. Attorney's Report – Attorney Warren Kasper advised he is working with the Stadium Drive property owner and Village Staff to get contract prepared. Manager Kirby advised that Staff has met with the County office who is just about ready to move forward with soil testing. Attorney David Kasper advised that the two houses on Highway 158 have an unrecorded deed and the current property owner is working to resolve.
- D. Planner's Report – nothing to report.
- E. Marketing/Communications Director's Report – Shannon Ford provided an update on Coffee with a Cop that took place at Krispy Kreme on November 5, 2015. There were 25 citizens in attendance. The next one is scheduled for December 1, 2015 from 9:30am - 11:00am at Bojangles. She advised that the Tree Lighting will take place at the Library on Tuesday, December 8, 2015 at 6:00pm. The month of November the Village of Clemmons is offering a Wall of Honor on Facebook and the photo she placed on Facebook of Chief Brooks being selected as Piedmont Fire Chief of the Year has already received over 13,000 views.
- F. Manager's Report
  - 1. Sheriff's Department Report for September 2015 – Manager Kirby presented the report.
  - 2. Planning Board and Zoning Board of Adjustment Ad – Manager Kirby advised of the need to appoint 3 members to the Planning Board to fill the vacancies that will be left by 3 members being elected for Village Council. There is also a vacancy on the Zoning Board of Adjustment for an alternate which needs to be filled.

Council consensus was to solicit applications for these vacant positions.

- 3. Federal Emergency Management – Manager Kirby advised the revised flood maps have been completed but will not be published due to the changes being so minor around Muddy Creek.
- G. Council Comments

Council Member Roark thanked Chief Brooks for his service and being a great friend on December 6, 2006. Mayor Nelson requested the fish feeder be investigated and/or repaired. Public Works Director Gunnell advised that the feeder has been re-stocked and we do not buy feed October thru May. The feeder goes off every hour during daylight hours until empty. The feeder is solar

powered. Council Member Denny stated that in his review of the 2015-2016 budget there were items pertaining to NCLM that had only been addressed as discussion items which now seemed to have turned into decisions. He will address this further at the next Council meeting. Council Member Lawry stated he was prepared to take up discussions on Open Meetings Law but since it was tabled, he will discuss at the next Council meeting.

**Adjournment**

Council Member Rogers moved to adjourn the meeting at 7:53 p.m. The motion was seconded by Council Member Roark and unanimously approved.

  
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Nickolas B. Nelson  
Mayor

ATTEST:

  
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Lisa Shortt, Village Clerk

**PROCLAMATION  
RECOGNIZING  
VETERANS DAY 2015**

**WHEREAS**, Veterans Day is an annual holiday in the United States honoring military veterans and is observed on November 11<sup>th</sup>, the anniversary of the signing of the Armistice that ended World War I; and

**WHEREAS**, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

**WHEREAS**, since the establishment of the original 13 States, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

**WHEREAS**, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

**WHEREAS**, for many, that sacrifice had ended in permanent injury or death, yet their spirit remains in continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; and

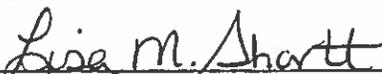
**WHEREAS**, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy.

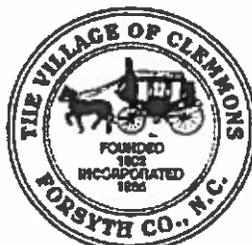
**NOW, THEREFORE, I, Nickolas B. Nelson**, Mayor of Clemmons, North Carolina, do hereby urge all citizens to honor our veterans this Wednesday, November 11, 2015 with expressions of gratitude and to further extend this gratitude to the families of the deceased veterans and to solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us re-consecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

**Proclaimed this the 9th day of November, 2015.**

  
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Nickolas B. Nelson  
Mayor

Attest:

  
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Lisa M. Shortt  
Village Clerk



**ORDINANCE DESIGNATING CERTAIN PROPERTY  
AS A HISTORIC LANDMARK**

Ordinance Number 2015-08

**WHEREAS**, all of the prerequisites to the adoption of this ordinance as prescribed by Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes have been met; and

**WHEREAS**, the Forsyth County Historic Resources Commission has submitted a report, which is incorporated herein by reference, and recommends after a separate public hearing that the property described below be designated a historic landmark; and

**WHEREAS**, the Clemmons Village Council after a separate public hearing finds that the property described herein is of historical, architectural, and/or cultural significance, and the property's preservation should be encouraged, and that the qualifying elements exist as set forth in the Historic Resources Commission report:

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Village Council of the Clemmons, NC as follows:

**Section 1.** The following described property is hereby designated a historic landmark: Philip and Johanna Hoehns (Hanes) House, 3550 Middlebrook Drive, Clemmons, NC, specifically: the complete exterior and interior of the Philip and Johana (Hoehns) Hanes House and the tax block and lot upon which it sits (Tax Block 4208, Lot 036B and 040H/PIN #5892-027883.00).

**Section 2.** The review process provided by law shall be observed prior to demolition, alteration, rehabilitation, or removal of the designated property.

**Section 3.** This ordinance shall be effective from and after its adoption.

Adopted this the 9<sup>th</sup> day of November, 2015.



Nickolas B. Nelson  
Mayor

ATTEST:



Lisa M. Shortt  
Village Clerk

