

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
BRIEFING SESSION APRIL 29, 2009**

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 Kevin Bugg, Aldermen Dana Caudill Jones, Brooke Cashion.

**Absent:** Alderman Bob Prescott and Keith Mason.

**Staff Present:** Curtis L. Swisher, Town Manager; John G. Wolfe, III, Town Attorney; Jayne Danner, Deputy Clerk; Jeff Hatling, Community Development Director; Sharon Richmond, Senior Planner; Ray Smith, Human Resources Director; Tim Shields, Public Works Director; and Ernie Pages, Parks & Recreation Director.

**Call to Order**

Mayor Dawn Morgan called the meeting to order and Alderman Dana Caudill Jones delivered the invocation.

**1. Annual Presentation by Sister Cities Commission.**

Mr. Mark Schell, Chair of Sister Cities Commission stated that their annual report had been submitted to the Board. He added that the main focus of the Sister Cities Commission is to foster relationships with other towns in other parts of the world. He highlighted activities of the commission over the past year; a dinner held in February to celebrate Chinese New Year which also raised money to assist with hosting 15 students and teachers from Furtwangen, Germany; establishment of an internet link for students at South East Middle School to connect with students in Europe; a trip to Germany with 10 local school students. Mr. Schell thanked the Board for their continued financial support of the Sister Cities Commission.

**2. Annual Presentation by Community Appearance Commission.**

Mr. Alan Asbell, Chair of Community Appearance Commission (CAC) thanked the Board of Aldermen for their recent appointments of volunteers to the commission. He added that this is a very dedicated group, the best it's been in many years. He further added that an annual report had been submitted. He gave an overview of the purpose of CAC and how it benefits all Kernersville residents. Mr. Asbell stated that the biannual award banquet was very successful this year; that the CAC will have a new mystery photo contest. He added that they will also have a booth at the Spring Folly with a bee theme, a bee mascot and a competition to find "bees" downtown. He requested funding for the CAC for the same amount as previous years in order to continue the CAC programs.

Mayor Morgan thanked Mr. Schell and Mr. Asbell for their dedication and service to the Town.

**3. Consideration of Changing the Date of the July Briefing from June 24 to June 22.**

Mayor Dawn Morgan advised that the meeting date that the Board would like to reschedule is actually the August briefing from July 29<sup>th</sup> to July 22<sup>nd</sup>.

Mayor Pro Tem Kevin Bugg made a **Motion** changing the date of the August Briefing from July 29 to July 22. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Mr. Curtis Swisher, Town Manager stated that the Board also needed to schedule a date and time for a budget meeting. He added that the FY 09-10 Draft Budget would more than likely be distributed next week. Mr. Swisher stated that this meeting would need to be scheduled for about two hours and that an email would be sent to the Board on Thursday with dates for their consideration. He further added that the Public Hearing for the Budget is scheduled for June 2, 2009 and that the Budget Ordinance is tentatively scheduled to be adopted at the July briefing on June 24, 2009.

**4. Consideration of a Resolution declaring May as Historic Preservation Month.**

Ms. Sharon Richmond, Senior Planner stated that many educational activities and events have been scheduled to celebrate and recognize May as Historic Preservation Month throughout Forsyth County. She encouraged the Aldermen to attend and added that these events are all open to the public.

Alderman Dana Caudill Jones made a **Motion** for the approval of the following Resolution declaring May as Historic Preservation month in Kernersville. Alderman Brooke Cashion seconded the motion and the vote was all for and motion carried.

**RESOLUTION NO. R-2009-11  
RESOLUTION DECLARING HISTORIC PRESERVATION MONTH  
IN  
KERNERSVILLE, NORTH CAROLINA  
MAY 2009**

**WHEREAS**, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

**WHEREAS**, historic preservation is relevant for urban and rural communities across the nation, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

**WHEREAS**, "*This Place Matters*" is the theme for National Historic Preservation Month 2009, cosponsored by the Forsyth County Historic Resources Commission and the National Trust for Historic Preservation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Board of Aldermen of Kernersville do hereby declare the month of May 2009 as National Historic Preservation Month, and call upon the people of Kernersville to join their fellow citizens across the United States in recognizing and participating in this special observance.

**BE IT FURTHER RESOLVED** that this resolution be spread upon the minutes of the Board of Aldermen and that a copy be furnished to the Forsyth County Historic Resources Commission.

Adopted this 29th day of April, 2009.

**5. Briefing on the May 5, Regular Meeting Agenda.**

**Item # 1 PUBLIC HEARING: James D. and Wendy E. Eglinger, Owners, for property located at 202 Trent Street. Zoning Docket K-693**

Mr. Jeff Hatling, Community Development Director briefed the Board on this rezoning request. He added that no opposition was received and that both Planning Board and Staff recommend approval.

**Item # 2 PUBLIC HEARING: John Maxwell, Agent for Sheetz, for property located at 780 and 790 North Main Street. Zoning Docket K-606.A1**

Mr. Jeff Hatling, Community Development Director briefed the Board on this rezoning request. He added that it had been previously rezoned for a convenience store, however due to the increase in size a new site plan and Board approval was needed. He stated that no opposition was received, however questions have arose about when a traffic signal would be put in at the intersection of North Main Street and Gralin Drive. He further added that both Planning Board and Staff recommend approval as presented, after one slight modification was made to one of the conditions.

**Item # 3 PUBLIC HEARING: Curtis Swisher, Town Manager, Agent for the Town of Kernersville, for consideration of amendments to the Unified Development Ordinance (UDO) Zoning Docket KT-191**

Mr. Jeff Hatling, Community Development Director briefed the Board on this Text Amendment request to extend permit and subdivision approvals, which arose from the meeting the Board had with area developers. He further added that it is structured in the same manner as other municipalities. He concluded that both Planning Board and Staff recommend approval as presented.

**Item # 5 Second Reading of the Taxi Franchise Ordinance for The Eagle Taxi Operated by George Z. Farah and Ahmed M. Ellabib.**

Town Attorney John Wolfe stated that this is a second reading of an Ordinance for Eagle Taxi as required by General Statutes. He added if passed the company can begin operating immediately.

**Item # 6 2009 Annual Report and Budget Request by Non-profit groups:**

**Kernersville Chamber of Commerce**

**Kernersville Senior Enrichment Center**

**Kernersville Downtown Preservation & Development Council**

Mr. Swisher stated that the KDPDC had provided information for the Board on the eligibility requirements and selection criteria for the N C Main Street Program. He added that one of the requirements was funding for a full time program manager for three years. Mr. Swisher stated that if the Board wants KDPDC to participate in this program the Board would also need to commit to three years of funding; otherwise it would be unnecessary for the KDPDC and a Town staff member to attend the seminar on May 12<sup>th</sup>. He further stated that the Board would need to inform the KDPDC of their intentions at the meeting on Tuesday in order for the KDPDC to meet the registration deadline.

Alderman Dana Caudill Jones asked if the KDPDC was requesting the same amount of funding for FY 09-10. Mr. Swisher confirmed that was correct, \$47,500. He added that there is a balance in the occupancy tax fund and that he expects that they will request additional funding from that.

Alderman Cashion asked how long a fulltime director had been employed by the KDPDC and if the reasoning was to apply for the Main Street Program Grant. Mr. Swisher answered since approximately 1995 and that it was not for the initial intention of applying for the grant.

Mr. John Wolfe, Town Attorney stated that he had pursued this grant on behalf of the Town in 1983.

Alderman Caudill Jones raised concern that since this is an election year; how we could be sure future Boards would fulfill the obligation to this commitment. Mr. Swisher stated that funds could be set aside in a separate account for this purpose.

Mayor Pro Tem Kevin Bugg reminded the Board that this was one of the things they had requested the KDPDC to pursue when they met in May. He added that according to the information he had read on the Department of Commerce website about the Main Street Program the Town already had a number of things in place like the downtown streetscape and the downtown taskforce.

Alderman Caudill Jones suggested that in this case maybe the Town should pursue All-America City instead of the Main Street Program.

Mr. Swisher stated that he would request that the KDPDC provide any additional information to the Board on the Main Street Program. He reiterated the importance of the Board to determine by the Tuesday meeting whether or not they wanted the KDPDC to pursue the Main Street Program.

Mayor Morgan requested that the Staff also look into the All-America City program and provide that information to the Board.

**Item # 7 Community Development Presentation on NC Hwy. 66 & Triangle Fiscal Impact Development Study.**

Mr. Jeff Hatling, Community Development Director stated that the consultant would give a presentation to the Board at their meeting on Tuesday. He added that the study went well and that he had shared the study with the EDAC group on April 28, 2009, which was well received.

**Item # 8 Consideration of a Resolution Regarding Pending Legislation to Transfer Maintenance of State Roads to Municipalities.**

Mr. Swisher stated that a Memo would be sent to the Board from Doran Maltba, Assistant Public Works Director identifying the roads in town that would become Town responsibility if this legislation passed. He added that Staff is recommending that the Board adopt this Resolution in opposition to this legislation.

Mr. Shields, Public Works Director stated that if passed this legislation would add 15 to 20 miles of road to be maintained by the Town, a 20% increase to the street division's road maintenance budget, which is already unable to adequately fund the resurfacing needed. He added this legislation could also allow withholding of Powell Bill funds.

**Item # 9 Consideration of Resolution Requested by NCDOT Regarding Improvements to Old Greensboro Road and its Intersection with East Mountain Street**

Mr. Tim Shields, Public Works Director stated that NCDOT committed to address this intersection prior to the approval of the FedEx site at the Triad Business Park. He added this component of the Macy Grove Road project will be completed and a roundabout will be constructed.

Mr. Hatling stated that this will be a great enhancement to the area and a good move from an Economic Development standpoint.

Mayor Morgan asked Mr. Shields to give the Board an update on the Economic Stimulus funding and timeframe of the projects.

Mr. Shields stated that they have run into some issues due to the tight time restraints on these projects. He added in order to proceed with any of the three projects submitted all ROWs would

need to be certified by NCDOT by June 26. He further added that they are in the negotiating stages for some easements but may have to take condemnation action on others. Mr. Shields stated that any projects they are able to proceed with will be brought before the Board in June or July at which time the Board could approve the use of MPO funds if the stimulus funds are not approved, however this would require an 80/20 match.

**Item # 10 CONSENT AGENDA:**

- C-1 Approval of Minutes for April 1, Briefing Session**  
**Approval of Minutes for April 1, Closed Session**  
**Approval of Minutes for April 7, Regular Session**

**C-2 Forsyth County Tax Refunds**

Mr. Swisher outlined the Consent Agenda items. He added that he would be attending the morning session of Town Hall Day in Raleigh on May 6<sup>th</sup>. He asked those who were planning to attend to meet in the parking lot at 7:30 a.m. to carpool.

**6. Closed Session of the Purpose of Discussing Economic Development and Personnel matters.**

Mayor Pro Tem Kevin Bugg made a **Motion** that the Board enter into Closed Session for the purpose of discussing economic development, legal matters which fall within attorney client privileges and personnel matters. Alderman Brooke Cashion seconded the motion and the vote was all for and motion carried.

**7. Adjournment.**

Being no further business to come before the Board, the meeting adjourned to go into Closed Session at 7:40 PM.

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Dawn H. Morgan, Mayor

Attest:

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Jayne Danner, 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 April 29, 2009.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Jayne Danner, Deputy Clerk