



## Town of Walkertown, North Carolina

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Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY 7:00 P.M. JULY 24, 2008

# MINUTES

As per protocol, Mayor Doc Davis opened the Town Council meeting at 7:00 p.m. Present were Mayor Davis and council members Sarah Welch and Marilyn Martin. The three present constitute a quorum. Absent were council members Wayne Hester (out of town) and Randy Mendenhall (out of town). Also in attendance were Lynn McKinnie, Scott Snow and town attorney, Amy Lanning. Mayor Davis gave a brief invocation and Ms. Welch led the Pledge of Allegiance.

On a motion by Ms. Martin, seconded by Ms. Welch, and unanimously approved (Welch, Martin) the agenda was accepted as presented.

On a motion by Ms. Welch, seconded by Ms. Martin, and unanimously approved (Welch, Martin) the council meeting minutes were approved as presented for the following:

- **JUNE 26, 2008**
- **JULY 17, 2008 – REGULAR SESSION**
- **JULY 17, 2008 – CLOSED SESSION**

**PUBLIC SESSION** THIS SESSION IS FOR NON-AGENDA ITEMS ONLY AND IS LIMITED TO 3 MINUTES PER SPEAKER. WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

Public Session was opened at 7:03 p.m. with two speakers:

1. Wendy Knopf  
1016 Starkhill Dr.  
Kernersville NC

I am here to represent the Walkertown Girls Softball League. Thank you for having us. We're actually on the agenda for next month, we just wanted to let you know a little bit about ourselves. We have actually been an independent league – non-affiliated with the Little League for over thirty years now. We are growing by leaps and bounds. This spring season '08, we had over 9 teams, ages 16 to 5 years old play with us. This is our first year that we are actually going to have a fall league. We've had so many girls that were interested in it; we actually haven't even advertised and we have five teams already signed up for that. What we would like to do is go further into the finances at the agenda next month. Right now, we only have two fields that we actually rent from the Winston-Salem Parks and Recreation and among other things; we have a larger expense than we do actually coming in so we'd like to ask for some monetary assistance from the town at the next meeting. Thanks.

**MAYOR:** Wendy, we have a special form you may want to secure from the town's office to be completed and turned in. We don't take any verbal requests.

**MS. KNOPF:** I think the president of the League has already done it.

**MAYOR:** Okay. I wasn't aware of it but if you do, then it needs to be turned back in to Ms. McKinnie and she'll make sure it gets into the proper hands. We're no stranger to girls' softball.

MS. KNOPF: That's good. ..You have a daughter....or grand-daughter, maybe that plays?  
MAYOR: No. But I was the incorporator of Walkertown Dixie Softball – of the softball league itself.  
MS. KNOPF: Oh, wow! Okay. That's wonderful. Our president actually played under you, I guess, then, because she talks very fondly of playing for the Dixie league.....  
MAYOR: .....I don't know about that.....but, ..... We're very familiar with it and we want it to prosper and to continue. I know there's been some rumors – all kind of rumors – stating that the council wanted to do away with the girls' softball – and that's nothing but a rumor and it couldn't be further from the truth!!  
MS. KNOPF: That's wonderful to know. Thank you!  
MAYOR: All we want to do is for as many to work together so I just try my best to put a stop to any rumor on that at this point. Okay?  
MS. KNOPF: Good! Thank you very much.

2. Kathy Whicker  
Representing Food Lion Store in Walkertown  
4880 Westray Lane  
Walkertown NC

I'm here to represent Food Lion as our company and also our community representative. I just wanted to stop by to let you know ---- first of all, thanks for letting us be a part of the fourth of July celebration!! It's the 2<sup>nd</sup> annual event that you are sponsoring for the community and on behalf of Food Lion --- for all of you to take your time on the fourth of July and spend it to give back..... I know that the town is paying for the celebration, but just in case you don't know, everyone – every one of these gentlemen and ladies sitting up here, come and work this event. They do a great job --- Lynn, I know how hard you work of getting it organized and that. But, not all only that – to spend your day and also your family, to give back to the community – that's very important!!! We work hard to make sure that we work together, but for you to give up your time on a holiday and it was very hot!!! All right? Then, we want to thank you on behalf of Food Lion. I do want to let you know we had a great time. And we have fun interacting with all the kids and giving them balloons but the music was absolutely fantastic!!! The food and stuff is free for the community – and, believe me, if you haven't been there – you need to make sure you're there for the third year because I am sure we are going to have one!! But, I know my time is up – we thank you and appreciate you. And I have a little picture for all of you, but just want to let you know, as always, we have a bulletin board at our store to let the community know what you're giving back to them. And I want you to know, our customers love it !!!! They have come by – if they don't know about it - - - You know, last year, when we first put it up, then everyone said, "We didn't know this was going on!!" And I said, "Well, you know, hopefully, it'll be an annual event." Just like these customers come in because they want to see their kids picture and they see all of you – that you're actually involved with it – so thank you very much on behalf of Food Lion!! We appreciate you giving back to our community.

MAYOR: Thank you, Kathy. We appreciate the support and the way you work with us.  
MS. WELCH: We sure do!!  
MAYOR: Along those same lines, I want to say "thank you" to the many volunteers that help from our community. It was not only the council but many, many volunteers that come to put up tents and come to build horseshoe pits and all the things that had to be done. So, we thank you – especially Tom – you and J.T. and Don Whitaker – you all did a great job and we appreciate your extra help!!! Thank you so much. And, it's an understatement to say "thank you" to Ms. McKinnie, because she was more like a pack-mule carrying the load for this thing!! This was a tremendous effort, getting all ---- every year, we tweak it a

little bit more and this year, we had to tweak a little extra since we had it on a different facility, with no shelter and no restroom facilities!!! And so, she improvised and made it happen, so.....

MS. WELCH: The tents still up???

MAYOR: The tents? Yes. The tents are still up!! They are ready for next year, Kathy, by the way. The tents are still up --- we did not take them down. Not many places that you can go that you can store your tents already erected!! Only thing that eliminates is about a four-hour tent erection series! Fred Martin was a "vital" in that! I think he was there when the first tent was rolled out and stayed til we finished. So, we appreciate that, Fred!!

Public Session was closed at 7:10 p.m.

### **ITEMS FOR DISCUSSION AND/OR ACTION:**

1. **PUBLIC HEARING #1**  
**WA-015 – CVS DRUGSTORE**  
FINAL DEVELOPMENT PLAN FOR FOOD/DRUG STORE IN HB-S TWO-PHASE ZONING DISTRICT

PUBLIC HEARING WAS OPENED AT 7:11 P.M.

### **DISCUSSION:**

MAYOR: This is the Public Hearing on CVS drugstore. We will have the public hearing – anyone wishing to speak for this will have three minutes to speak "for". Anyone wishing to oppose will have three minutes to speak in "opposition" each.

MS. MARTIN: Doc, I'd like to move for NO CONSIDERATION on this item until next month.

MAYOR: All right. With a movement of NO CONSIDERATION, do we have the public hearing anyway, Amy, since we've advertised and got the people here to do the Public Hearing and then NO CONSIDERATION on anything to handle, is that proper, or no?

MS. LANNING: I honestly don't have an answer on that.

MAYOR: Okay. I'll tell you what – would it suit the council to have the Public Hearing.....?

MS. LANNING: .....That would be the conservative way to go.....

MAYOR: I think so and then move forward with the NO CONSIDERATION. Would that suit you, Ms. Martin? ..... Is that okay with you, Ms. Welch?

MS. MARTIN: That's fine.

MS. WELCH: Yes. (Since they're already here.....)

MAYOR: Yes. That is correct. Let's hear from Staff Report, then, if you would.

GARY ROBERTS: Thank you, Mayor. My name is Gary Roberts, Planner with City-County Planning Board. This is a Final Development Plan request for an outparcel in Walkertown Landing. It's on the northeast corner of Highway 158 (Reidsville Road) and Old Hollow Road (NC-66). The site is on 24-27 acres, HB-S, rezoned in 2004, larger shopping center, comparable to Walkertown Commons across the street, which is also zoned HB-S. In a two-phase zoning,

initially a site plan is submitted that shows the main entrance points and lists the uses, such as retail and office type uses, and then once the developer decides how he wants actually to design these outparcels, they come back in for final development plan approval. That was done recently for McDonalds' site. This parcel here is for CVS Drugstore, drive-through, about 1.86 acres in size, located right on the corner. Since the aerial photograph (THAT HE SHOWED) was taken in 2005, they are doing some utility work and grading over the entire site. The overall development as it was when it was approved in 2004 – primarily looking at the outparcel on the corner .....

MAYOR: .....Before you move that one, the circle road that goes from the Commons, that will be the actual inner road, is that correct? And it'll be an intersection at the other across – on the south side of Old Hollow Road, is that correct?

MR. ROBERTS: That is correct.

MAYOR: Okay.

MR. ROBERTS: But there also will be – this will probably be right in, right out – in other words, there will probably be a median here required by NC-DOT because of its proximity to this major intersection so, in other words, traffic traveling south on 158 will probably not be able to take a left into this entrance right here.....

MAYOR: .....Why is that?

MR. ROBERTS: .....Stacking at this intersection.....

MS. MARTIN: .....Traffic problems.....

MAYOR: .....It's just a .....open highway at 55 miles per hour that they refused to lower.....I don't understand why that's an issue with traffic!

MR. ROBERTS: Well, I can't speak for NC-DOT and I'm not completely familiar with all the improvements they're going to require. It was my understanding that they are going to require a median (here).....and.....

MAYOR: .....Ahhhh.....I see..... So, that's' going to be a lot safer than lowering the speed limit.....

MR. ROBERTS: .....Probably..... Also, traffic wanting to pull left out of this development and head south on 158 will not be able to do that – it is my understanding. And the same treatment here – but this will be full access and full access.....

MAYOR: .....Back to that other drawing.....When will ... I assume there will be a traffic light there at the intersection of 158 and – what's that road called? I read it on it and I can't remember the name of it..... One of the Neal's.....

MS. MARTIN: .....Neal Trail Drive.....? Is that what you're talking about?

MAYOR: .....Is it Neal Trail or is it.....?

MR. ROBERTS: .....Neal Trail is this street right here. There will not be a signal there.....

MAYOR: .....All right..... What's the name of the larger loop?

MR. ROBERTS: I would have to pull the site plan to read it.

MAYOR: I believe it is Ms. Neal's first name.....

MS. MARTIN: Pearl?

MAYOR: Pearl!! It's Pearl. That's what it is...It's Pearl. Will there be a traffic light on 158 or on Old Hollow Road at that one?

MR. ROBERTS: I am not sure. Perhaps the developer would be a little bit more familiar with the driveway requirements from NC-DOT. If there would be, they would probably be at their expense to install. But I'm not familiar with....

MAYOR: .....Okay. I didn't mean to put you on the spot....

MR. ROBERTS: .....That's okay..... That's a legitimate question on this.....

MS. MARTIN: .....When this was first approved by the Planning Board, what they said was if there's over a 150 trips per peak time, they'd have to do a traffic study. And then, Hennigan said, you know, at that time, after this was built or what was going to be built there, then they would study about putting a traffic light. That's all I know. That was what was discussed in 2004.

MR. ROBERTS: I can just read you what the State DOT's comments were, review of this outparcel. This is back in May 28<sup>th</sup>. Jeff Turner, with the North Carolina Department of Transportation just simply said, "*Update driveway permit, matched previously approved internal connections.*" So, I'm aware of that condition there if the traffic volume exceeds 150 trips per peak hour, but apparently DOT staff did not feel like that this would exceed that.

MS. MARTIN: I think he more or less said if it was required by law, then he'd do a traffic study.

MR. ROBERTS: The actual site plan depicts 13, 222 square foot drive-through drugstore. .... No direct entrances on to these public streets and that, if I'm not mistaken, that is the median there. So you will have access into the property here on Neal Trail Drive....access into here on Pearl Trail Drive. But, because of these two medians, traffic exiting the overall development on to 158 would only be able to take a right and head north. And the same on 66, traffic would only be able to take a right and head west. So this is kind of a traffic calming development here – this median – because of the proximity to this overall intersection, is my assumption.

MAYOR: Well, with that statement being made, most likely it's not scheduled to have a light at this time. Seems like, I remember something like that.....

MR. ROBERTS: .....Yeah..... These would be typically 600-foot spacing for DOT to allow another light so this would definitely not meet that. There would not be a signal at these intersections, but the other main intersection for the overall site, there could be. The development pattern would have to warrant it first.

MAYOR: And that, the Pearl Trail Drive comes in on Old Hollow Road...is it about.....It would be south of.....or east of where the Bojangles is, is it not? Is that correct? Do you recall?

MR. ROBERTS: .....There is a Pearl Trail.....

MAYOR: .....All right..... Move to the right.....Move south of where you are – right there – what's across Old Hollow Road and on the south side? Right there.

MR. ROBERTS: .....I plead ignorance.... I'm not as familiar with Walkertown as I'd.....

MAYOR: .....Okay..... That's all right. I was trying to get it in my mind if it was on the east side of that.....when you cross on the south.

MR. ROBERTS: .....Yeah. When the Sheetz is there – and I'm not sure where Bojangles landed here.....

MS. MARTIN: .....It may be up there where it comes out at Bojangles.

MR. ROBERTS: Again, the revised site plan does meet all the UDO requirements, ordinance requirements, and the Planning Board discussed the site plan considerably. Several items that they wanted to recommend to council for consideration were the landscaping plan, which they have submitted to you in the revised packet; the lighting plan – even though there is a lighting condition, they did submit a lighting plan in your revised packet. They also submitted elevations to the Planning Board at the meeting. Staff did not have those prior to, but they included those in your packet, and you should have those. Those are the elevation – split-face block siding..... Back to the site plan, there was considerable discussion in regards to sidewalks. Provided in the original sketch sent to the Planning Board, earlier in May, sidewalks were not shown around the site – excuse me, in the initial submittal, they **were** shown on all four sides of the site. When the revisions were made, as per inter-departmental review, we received the 25 copies to send to the Planning Board, sidewalks were not shown on the two public street frontages – they were shown on the internal frontages. We mentioned that at the Planning Board. At that time, it was Staff's assumption that the Pedestrian and Sidewalk Facilities Plan, which was adopted by Walkertown in 2007, would have required that; and, actually, it would for **new** development along major thoroughfares. That was Staff's assumption at the Planning Board meeting – we mentioned that. Planning Board members asked about the sidewalk – why it was not provided here – and so, the developers initially, I believe, agreed to provide sidewalks, and then, later, out of consideration that they were comfortable with that recommendation. And the Planning Board also asked for a second lateral connection – you have one here, the patch pattern, that gets you from the building, across the parking lot, to the public sidewalk there and the public right-of-way and on 158. They asked for the same along Neal Trail Drive. You have a sidewalk here and so we have another lateral connection and they agreed to that. A little bit of history, and then I'll defer to Amy Lanning, the town attorney, to clarify the town's position as far as whether or not sidewalks are actually required in this situation. The revised plan that they sent back to us, which you have a copy of, then as per the Planning Board recommendation, did include the sidewalks, as you can see. We spoke with NC-DOT since that time – wanted to make sure since the sidewalks were in the public right-of-way that they were okay with that because that's actually state ownership. They will not maintain the sidewalks but they were fine with the alignment provided that this crosswalk was amended a little bit and a second lateral connection provided here so that if there ever are sidewalks installed across 158 or across 66, a crosswalk could be provided here. One of the Planning Board members asked why crosswalks were installed on 158. DOT simply said because there are no sidewalks out there at this time. But this alignment, these lateral connections would set it up for that so that would be the only amendment.....

MAYOR: .....So.....They would put crosswalks on 158??

MR. ROBERTS: ...DOT said that they will not require or install crosswalks at this time - - - because there is no sidewalks. If there are to be sidewalks on this site, they would need to tweak their lateral connections there to accommodate those crosswalks in the future. That would be a future driveway permit requirement or perhaps DOT would install at their expense at the town's request, but I wouldn't say – any time soon!

MAYOR: What is your department's position on that?

MR. ROBERTS: On the crosswalks? Well, I would think the crosswalks are a little bit premature. I mean, personally, you would need to have sidewalks out there.....

MAYOR: .....Well..... Later on??.....

MR. ROBERTS: .....Well, I think it's a good idea.

MAYOR: .....You think it's a good idea to have *crosswalks across 158????*

MR. ROBERTS: .....If there's sidewalks!! But you're kind of getting the cart ahead of the horse. There's some history on this case in regard to sidewalks. Again, in 2004, there are actually three conditions that dealt with sidewalks and I'll defer to Amy Lanning to explain the town's position, the town attorney's position.

MS. LANNING: Bo and I talked about this and - - - I was actually at the Planning Board meeting for July. And, the issue of sidewalks came up. Like Gary said, the Planning Board recommended that sidewalks be required along 66 and 158. And, when you look back at the rezoning ordinance, when this development rezoned in 2004, and the minutes that go along with that rezoning and the site plan was approved at that time for the overall development, the ordinance itself seems a little bit unclear – it had language about sidewalks on public and private streets. And if you read the minutes, it was actually said that that was for internal streets and not sidewalks on 66 and 158. So when Bo and I looked at everything together – course you can request the developer to put sidewalks on 66 and 158 – that's fine but we don't think they'd find everything with \_\_\_\_\_ ordinance that they can rely on that – and you probably can't require them to put sidewalks on 66 and 158 because of that prior \_\_\_\_\_ on internal streets.

MAYOR: Thank you, Amy. Gary, is that everything you had for us?

MR. ROBERTS: Yes, sir. And, also, I'm sure the petitioner will state that he actually does not wish to put sidewalks in.

MAYOR: I'm sorry?

MR. ROBERTS: The petitioner would not like to have sidewalks installed on 158 and 66. I will relay that to you.

MAYOR: Well, I'm sure you catch my feelings toward a crosswalk on a highway with that kind of speed limit.

MS. MARTIN: Umm Hmmm..... Dangerous!!

MAYOR: I mean, it don't really make a lot of sense to put a sidewalk on a highway that is faster than - - - the speed limit is higher than all the speed limit going down through downtown Winston-Salem. I mean, it just don't make sense!!! So, that's our thoughts. We have had little success in convincing DOT on that but we will continue our stand, I feel like. Don't you think, Council? All right, anyone to speak? This is the Public Hearing, now that we've heard from Staff – and the Staff did recommend.....

MR. ROBERTS: The Staff recommended APPROVAL.

MAYOR: And the Planning Board recommended APPROVAL. I don't think it's a major issue, but we will have the Public Hearing. There has been a move for NO CONSIDERATION this evening. Is that okay with the law? Okay. Anyone wishing to speak in favor – you have three minutes.

1. Jeff Saul  
Glenwood Corp.

I'm here representing the developer and I'll keep my comments brief. Obviously, we're courting(?) the site plan and hoping that the site plan is approved. With one exception, I want to speak to the issue of the sidewalks and I won't belabor the point – Amy covered town council's position with respect to the ordinance that was adopted in late 2007. We agree with that. I don't think it applies in this instance. I think that the matter was decided in 2004 during the rezone and that the town council is not bound by the subsequent law. There's some practical issues why we think that the sidewalk shouldn't be required, in any event. And I think Mayor Davis hit on that briefly talking about the crosswalk – and that is public safety. I think when you look at our project, and specifically, Walkertown Landing, and then the adjacent project, Walkertown Commons, and the traffic on 158 and 66, encouraging pedestrian traffic on sidewalks along the roadways is a dangerous prospect. I know that sidewalks relates to the issue of connectivity and connectivity is a good think, generally. But I think that you have to look at that concept rationally with respect to each project and I think with certain mixed-use projects and the type of planning that it being encouraged today, it makes a lot of sense to get sidewalks into the Plan when you can. But I think when you try to retrofit them, so to speak, in a project like this that was already designed. In this case, our project was essentially designed in 2004, it doesn't always work and I don't think it does work here. I don't think you want to encourage pedestrian traffic – people crossing from Walkertown Commons and walking along the major thoroughfares to our project without the sidewalks on the major thoroughfares - - - to the extent someone does decide to cross the street, I suppose, at the very least, there will be internal sidewalks and they'll be walking within the project as opposed to out on the street. And then there's practical implications for Glenwood and, in this case, the developer of the CVS – the buyer of this piece of property, Adams and Wilson – requiring the sidewalks would potentially unduly burden our project. Again, we designed it in 2004, thinking that there would not be sidewalks required on 66 or 158. When we designed the project the road configuration, lot configuration, we take into consideration, impervious surface requirements, stepback requirements, green requirements – all those things would be impacted now by requiring the sidewalks on 66 and 158 and those would have similar impact economically to Adams and Wilson if they're required to add these sidewalks now – it would require, I think, a fair number of changes in their plan. And I can let Travis Fortner is here on behalf of Adams Wilson – he can speak to that if he'd like. Couple of other points – McDonalds' was approved in the project without sidewalks being required on 158, so to the extent that you would require sidewalks on 158, there'll be a 237 foot gap where their project is. I think that's it. I mentioned two points, but I think that was my last point. With that, I'll let Mr. Fortner make some comments if he has any. Thank you.

MS. MARTIN: I know, in looking at other developments – I've been riding and seeing, that most of these mixed-use developments – they have internal sidewalks, but they do not have sidewalks out on the busy highways, I assume, because of the danger.

MR. SAUL: And I am not a planner and I'm not so presumptuous as to get into the theory, and the reasoning as to when they make sense and when they don't, I think it's a common-sense approach, though, and, again, when you have high-speed traffic, it just seems to me that you should not be encouraging people to walk along the walks or for having kids to ride bikes on sidewalks along the road.

MAYOR: Thank you, sir. Anyone else wishing to speak in favor?

2. Brad Taylor  
Civil Engineer for Project

I drove up here from Charleston, SC, today to be here. I would like to ask, I know there's a motion to basically postpone any kind of vote on this and would just like to know if there is a reason for that – if there's reasons that you all are seeking changes, or if we could be provided some direction as to the reason behind that so we can change the plan, if need be.

MAYOR: We can give you that reason pretty easily. We're short two members tonight and we feel like we want to be in one accord. I think we will be in one accord, but we're short two members tonight – one due to sickness, and another one to watch the Yankees play. I can't imagine what that has to do with anything, but..... But, yes, that's the reason. It has nothing to do with --- we don't have a premeditated – we don't have another agenda set up for it. I think what you hear tonight is probably going to be the consensus of the full council. I feel like, but I can't speak for the council til they're all here and vote their own feelings, okay? But I know the drive from Charleston, five hours!

MS. MARTIN: And, also, one of the Councilmembers that's not here was at the Planning Board meeting, so he has heard what's been said about this.

3. Travis Fortner(?)  
Adams & Wilson Developers  
835 Low Country Blvd.  
Mt. Pleasant, SC

We are the developers who are going to be building ---- I just want to --- Jeff did a very good job of illustrating why we don't want the sidewalks. One more point, we have been in contact with Jeff Turner, with DOT. On a personal level, he is opposed to the sidewalks, simply on a safety basic. It is a 55-mph road – what happens if somebody swerves – on a sidewalk. So. Other than that, we really have no other comments. We greatly appreciate everything you're doing.

MAYOR: Anyone else wishing to speak in favor? Seeing no one, anyone wishing to speak in opposition?

PUBLIC HEARING WAS CLOSED AT 7:38 P.M.

MAYOR: This item has been moved for NO CONSIDERATION meaning that the council will not take a vote on it this evening and it will be brought back at the August meeting. The Public Hearing has been held as it was advertised. We will **not** have a second Public Hearing – but it will be voted on at the August meeting. Thank everyone for coming.

2. **PUBLIC HEARING #2**  
**WA-UDO-10** – TEXT AMENDMENT CHANGE TO SIGN ORDINANCE TO REVISE REGS FOR INTERNAL ILLUMINATED SIGNS FOR CHURCHES

PUBLIC HEARING WAS OPENED AT 7:39 P.M.

**DISCUSSION:**

MR. ROBERTS: This is a council-initiated text amendment to the UDO – WA-UDO-10. Staff prepared a proposed text amendment to the sign ordinance and what it will basically do is **allow churches to have internally illuminated signs**. I know it's kind of hard to read this text here but this is out of the Walkertown Sign Ordinance this table here. These are all the zoning districts here to the left – you have commercial districts, neighborhood business, neighborhood office, mixed use, and all the residential districts. And then you have all the different provisions for the signs here, which uses, schools,

churches, etc., residential, the height here, square footage, and spacing. What this text amendment would do would basically allow churches right now in the NB (Neighborhood Business), in the NO (Neighborhood Office) - these are kind of low-intensity commercial office and office districts, churches are allowed in those districts, as well, and all the Residential districts where churches are allowed. Currently, there's a provision – this little “(e)” and this “(e)” is a footnote that says, “*No Internal Illumination*”. So, in those districts, the Residential districts, be it churches, schools, congregate care rest homes, etc., they currently cannot have internally illuminated, or hollow plastic signs. This provision would allow churches in either the NO, NB or the RESIDENTIAL districts to allow internally illuminated signs here so we just added these words here that are underlined – except for Church or Religious Institution, Community or Neighborhood “ (Community – is a larger church, 600 seats or more. Neighborhood – is a smaller church with 600 seats or less.)

MAYOR: Wait a minute! What's the difference between 600 seats or more, or 600 seats or less?

MR. ROBERTS: That's the cut-off in the ordinance for community-scale and neighborhood-scale churches. A larger, more impacting church in a neighborhood would have 600 seats or more and 600 seats or less is classified as a neighborhood church.

MAYOR: But this would not affect either one of them, would it?

MR. ROBERTS: It would impact both of them. Both are included and they would be exempt from this prohibition, too.....

MAYOR: .....Okay – that's what I wanted to be sure – you weren't separating the two.....?

MR. ROBERTS: .....No..... They both .....

MAYOR: .....Why do we make a differentiation on the 600 or less, or the 600 or more, then? Why don't we just say “churches”?

MR. ROBERTS: Well, that was a decision made in 1995 and apparently some of the larger churches have more of an impact on Neighborhood Districts. I think actually, some of the larger churches; you have to get a Planning Board review to operate in a Neighborhood district, whereas the smaller ones are \_\_\_\_\_.

Planning Board did not recommend approval of the Text Amendment – they discussed it considerably, I believe. Their main concern was not pulling out one particular use and giving it special privilege. They voted 3 to 2 to NOT RECOMMEND THE TEXT AMENDMENT.

MAYOR: Nope. This was the council-originated one?

MR. ROBERTS: That's correct.

MAYOR: That's what I thought. Any questions for Gary, Council. Anyone wishing to speak in favor?

1. Rev. Jerry Goode  
5136 New St.  
Walkertown NC

The Church that we're dealing with is at 5545 Main Street – that's .8 mile from Highway 66 so it's really close. And we appreciate the council considering this today – to revise the regulations for internal illuminated signs for our church. And we thank you for saying “yes”.

MAYOR: Thank you, Jerry. Anyone else wishing to speak in favor?  
Anyone wishing to speak in opposition?

PUBLIC HEARING WAS CLOSED AT 7:44 P.M.

MAYOR: This, council, if you remember, was a council-originated amendment and specifically for churches – and churches only. Is there a motion on this?

**MOTION: TO APPROVE WA-UDO-10 TEXT AMENDMENT TO REVISE THE SIGN ORDINANCE TO ALLOW INTERNALLY ILLUMINATED SIGNS FOR CHURCHES (RELIGIOUS INSTITUTIONS)**  
**BY: MARILYN MARTIN**  
**SECOND: SARAH WELCH**  
**VOTE: MOTION PASSED UNANIMOUSLY**  
(MARTIN AND WELCH)

MAYOR: As you know, I think there's some misunderstanding. This was a council-originated amendment. We wanted to stick close to our sign ordinance. We wanted to stick close to the things we've done. But, at the same time, we respect the rights of the churches to have the sign in the way.

3. **FOR DISCUSSION AND/OR ACTION:**  
**WALKERTOWN LITTLE LEAGUE.....Todd Pickard**  
(CONTINUED FROM 06-26-08 MEETING – NO CONSIDERATION)

**DISCUSSION:**

MAYOR: We have some recommendations in your packet. Our spokesperson for these bids on the Little League is not here at this time, so I feel like we should move for NO CONSIDERATION on this, if there is a move.

MS. MARTIN: Well, I think we did NO CONSIDERATION last month but I would like to take no action on it this month because we need Mr. Todd Pickard here to give us information.

MAYOR: We discussed this at the work session and the word was he was going to get some additional numbers sent to us – for us – and we have yet to receive it, is that correct, Ms. McKinnie?

MS. MARTIN: I haven't seen them.

LYNN: He sent an email saying he had received two of them but not the third.....He'll get them to me as soon as he can.....

**NO ACTION TAKEN. THIS ITEM WILL BE TABLED TO THE AUGUST 28<sup>TH</sup> MEETING.**

4. **FOR DISCUSSION AND/OR ACTION:**  
**HIGH KNOLL SUBDIVISION – REQUEST FOR ROADS TO BE TAKEN INTO TOWN OF WALKERTOWN**  
(CONTINUED FROM 06-26-08 MEETING – NO CONSIDERATION)

**DISCUSSION:**

MAYOR: This was continued from 06-26. We've had a lot of NO CONSIDERATION. That was a NO CONSIDERATION. Boy! We're doing a lot of that! If you will, look in your packet, we've got a lot of request – we've got a lot of information in your packet. We've got information from the developers

We've got information from Duke Power. We've got information from the street light agreement that was signed by each resident. Is that correct, Ms. McKinnie? Each resident signed a street light agreement?

LYNN: Each resident signed that agreement – and I put it in there as an example.

MAYOR: Is there a motion, or any discussion? What's your feeling, Council?

MS. MARTIN: Well, after reading what's in the packet, I'd like to make a motion that we don't take over these streets in High Knolls development at this time. We do not take it over.

MAYOR: Based on primarily the street light agreement, I assume?

MS. MARTIN: Yeah..... On the ..... street light agreement .....because.....

MAYOR: .....Okay..... Based on the..... agreement in place, okay.....

MS. MARTIN: ..... There's been a lot of discussion about it....

**MOTION: TO DECLINE THE REQUEST FROM THE DEVELOPER AT THIS TIME FOR THE TOWN OF WALKERTOWN TO TAKE OVER THE FOLLOWING STREETS IN THE HIGH KNOLLS SUBDIVISION:**

- **KNOLL RIDGE DRIVE**
- **HIGH KNOLL DDRIVE**
- **WALKER RIDGE DRIVE**
- **KNOLLVIEW DRIVE**
- **DIANE COURT**
- **CRANFILL LANE**

**BY: MARILYN MARTIN**

**SECOND: SARAH WELCH**

**VOTE: MOTION PASSED UNANIMOUSLY**

(MARTIN AND WELCH)

MAYOR: In the way of discussion, I am sure that most of this revolves around Item #5 on the street light agreement, which reads, 5. "The Town of Walkertown will bear no responsibility for the replacement of these lights or light poles (it bears no responsibility for the replacement of standard lights either)....." Which, these are "special" lights. ".....If they need replacement for any reason, it will be the responsibility of the homeowners to cover any costs over the costs that Duke Energy may cover." We do know that the situation requires that DOT would not approve taking over the roads because the street lights are in the center of the road (NOTE: THE STREET LIGHTS ARE ACTUALLY IN THE RIGHT-OF-WAY SPACE.) And they would not approve that. That does not meet DOT standard. Through the street light agreement, it would be the responsibility, that each homeowner signed, it would be the responsibility of the homeowners – not the town, is that everyone's thinking?

MS. MARTIN: Um hmmm.

MS. WELCH: What I read.

MS. MARTIN: So, even if we do decide to take them in later, it's still going to be their responsibility....

MAYOR: .....According to the agreement that each homeowner signed, that is correct. Any further discussion? Okay. The motion passes that we do not – or it actually fails, I guess we could say.

5. **FOR DISCUSSION AND/OR ACTION:**  
**SURVEYING AND ENGINEERING AGREEMENT FOR SIDEWALKS FROM ALLEY, WILLIAMS, CARMEN AND KING**

**DISCUSSION:**

MAYOR: Okay. Item number six. Is that you, Scott?  
MR. SNOW: That's me.  
MAYOR: All right, sir. If you will, pull that mic around there so we can hear you well.

MR. SNOW: What we have on number five, is an agreement with an engineering firm, Alley, Williams, Carmen and King to conduct surveying in preliminary planning for sidewalk project \_\_\_\_\_ for Main Street, Friendly, Martin Street, for a small portion of New Walkertown Road \_\_\_\_\_ map \_\_\_\_\_. Red line indicates where we were planning to have surveyed. \_\_\_\_\_ and also a portion of Ruxton Drive from the existing sidewalk at the Rite Aid property to the end of Ruxton Drive, right before the Whitehall subdivision. I spoke with them about any changes that might be \_\_\_\_\_, \_\_\_\_\_ table \_\_\_\_\_ hourly rates. There will be no change \_\_\_\_\_ a street. \_\_\_\_\_ probably be able to work quicker on Friendly, Martin(SEE BELOW) and Ruxton as \_\_\_\_\_ Walkertown streets, don't have to deal with getting easement(???)

\_\_\_\_\_.  
\_\_\_\_\_ improved \_\_\_\_\_ workers \_\_\_\_\_ inside a week.

MAYOR: Now, you indicated all those except one that's on our map and one was in our conversation. Morris. You've not changed that, have you?

MR. SNOW: Morris?

MAYOR: Morris. Uh huh.

MR. SNOW: I have Morris marked(?).....\_\_\_\_\_

MAYOR: Right. But you didn't mention it. I just wanted to be sure nothing has changed.

MR. SNOW: \_\_\_\_\_ Morris \_\_\_\_\_.

MAYOR: Okay. Because I don't want the citizens in the audience getting upset and throwing chairs before the thing's over.

(SAID IN A "JOKING" MANNER DUE TO RESIDENT AND FRIEND WHO LIVES ON MORRIS STREET, J.T. LANE, BEING IN AUDIENCE.)

And I know he's done got one in his hand!!

MR. SNOW: Morris Street is in the plan.

MAYOR: Okay. I just wanted to be sure. You hear that, J.T.?

MS. MARTIN: But, what we discussed at work station – Martin Street was not on this plan.

MR. SNOW: Not on this \_\_\_\_\_ I – I .....

MS. MARTIN: .....Okay. It was Morris. Okay.

MAYOR: Martin and Darrow was to be followed up. They were to be the next two. Martin – on both sides of Old Hollow Road – and Darrow Road. Darrow Road – then Martin.

MR. SNOW: That \_\_\_\_\_

MAYOR: That would be the next - - - because we got to know where we're going with these – with funds. But they were next in line....

MS. MARTIN: I just wanted to be sure that Morris is what we were talking about – stopping at 66 - - - -

MAYOR: Right. Uh huh. Any questions on this agreement? Is there a motion to approve this agreement with the surveying engineering company? This is an agreement to get the sidewalks surveyed, engineering studies done, so we can move forward. Once that's done, then our manager can go forward with letting bids on getting some pricing, getting some people in there to pour it.....and start working on it.

MS. MARTIN: .....Then.....also, after we get this, are we going to apply for the money to help? But we have to start with this first?

MAYOR: .....We got to have this done first. This is the first step whether we ever get any money or not – we've got to have this done, that's correct.

**MOTION: TO APPROVE THE AGREEMENT WITH ALLEY, WILLIAMS, CARMEN & KING, INC. ENGINEERS TO BEGIN SURVEYING AND SPECIFICATIONS ON SIDEWALK IMPLEMENTATION IN WALKERTOWN**

**BY: MARILYN MARTIN**

**SECOND: SARAH WELCH**

**VOTE: MOTION PASSED UNANIMOUSLY**

(MARTIN AND WELCH)

6. **FOR DISCUSSION AND/OR ACTION:**

RESOLUTION: 08-\_\_\_\_  
TO APPROVE COLLECTION OF **YEAR 2008** TAXES BY FORSYTH COUNTY TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-321  
(THIS IS AN ANNUAL OCCURRENCE)

**DISCUSSION:**

MAYOR: This is an annual occurrence and we'll do the same thing ..... Why is there two different General Statutes?

LYNN: One of them covers this year and the other covers prior years' taxes that they get collected.

**MOTION: TO APPROVE COLLECTION OF YEAR 2008 TAXES BY FORSYTH COUNTY TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-321**

**BY: SARAH WELCH**

**SECOND: MARILYN MARTIN**

**VOTE: MOTION PASSED UNANIMOUSLY**

(MARTIN AND WELCH)

7. **FOR DISCUSSION AND/OR ACTION:**

RESOLUTION: 08-\_\_\_\_  
TO APPROVE COLLECTION OF **PRIOR YEARS** TAXES BY FORSYTH COUNTY TAX COLLECTOR IN ACCORDANCE WITH G.S. 105-373...  
(THIS IS AN ANNUAL OCCURRENCE)

**MOTION: TO APPROVE COLLECTION OF PRIOR YEARS TAXES  
BY FORSYTH COUNTY TAX COLLECTOR IN  
ACCORDANCE WITH G.S. 105-373, 321, AND 330.3**  
**BY: SARAH WELCH**  
**SECOND: MARILYN MARTIN**  
**VOTE: MOTION PASSED UNANIMOUSLY**  
(MARTIN AND WELCH)

8. **FOR DISCUSSION AND/OR ACTION:**  
FINANCIAL STATEMENTS FOR JUNE, 2008

**DISCUSSION:**

MAYOR: We see the financial statements under Tab #8. Our finances continue to be good. We've adopted our new budget. We're in our new budget year – the first month of our new budget year. Unrestricted Funds - \$3,019,334.56 and our Restricted Funds - \$1,467,341.03. That includes \$938,920.14 of Powell Bill money, much of which will be used on the sidewalks, probably. We're hoping to get as much grant as we can but we're going to get sidewalks regardless. Our grand total fund balance is \$4,486,675.59.

Any questions concerning our financial statements?

MS. WELCH: No. Our clerk has done a good job.

MAYOR: I think she has done a wonderful job. She always does a good job. Let's see. Public Session:

MS. WELCH: Did we approve that?

MAYOR: No, we didn't! You're right! Do I hear a motion to receive and approve the financial statements?

**MOTION: TO APPROVE JUNE, 2008 FINANCIAL STATEMENTS  
AS PRESENTED**  
**BY: SARAH WELCH**  
**SECOND: MARILYN MARTIN**  
**VOTE: MOTION PASSED UNANIMOUSLY**  
(MARTIN AND WELCH)

**PUBLIC SESSION**

THIS SESSION IS FOR ANY TOPIC AND IS LIMITED TO 3 MINUTES PER SPEAKER  
WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

PUBLIC SESSION WAS OPENED AND CLOSED AT 7:53 P.M. WITH NO SPEAKERS.

MAYOR: I want to commend **LANE'S LAWN SERVICE** for the good job they're doing keeping our intersections and our byways clean! They've been mowing them on a regular basis and, Tom, you've done a good job! Thank you!! If you will, please pay attention to our announcements on our website. We've got a lot of things on our website, so check out the website – we've even got local weather on the website!! **Ron Conrad** has done an outstanding job maintaining that website, keeping us up to date. As soon as Ms. McKinnie shoots it to him, he gets it on there!! And it's accurate – it's not something that's

not attended to!! He attends to that website daily. There's no question about it. Is there any other announcements, other than the recycling dates?

## **OTHER INFORMATION ATTACHED**

1. PLANNING BOARD MINUTES FOR JULY 8, 2008 MEETING

## **ADJOURNMENT**

## **ANNOUNCEMENTS**

- **RECYCLING FOR AUGUST:**  
A ROUTE - 11<sup>TH</sup> AND 25<sup>TH</sup>  
B ROUTE - 4<sup>TH</sup> AND 18<sup>TH</sup>
- **TOWN COUNCIL MEETINGS:** (4<sup>TH</sup> THURSDAYS)  
7:00 p.m. at the Walkertown Library Auditorium on:  
**FOURTH THURSDAY @ 7:00 P.M.**  
AUGUST 28  
SEPTEMBER 25  
OCTOBER 23  
NOVEMBER 20 – CHANGED DUE TO THANKSGIVING HOLIDAY  
DECEMBER 18 – CHANGED DUE TO CHRISTMAS HOLIDAY
- **PLANNING BOARD MEETINGS:** Library 3:00 1<sup>st</sup> Tuesday

**MOTION:** TO ADJOURN MEETING AT 7:59 P.M.  
**BY:** SARAH WELCH  
**SECOND:** MARILYN MARTIN  
**VOTE:** MOTION PASSED UNANIMOUSLY

**MAYOR:** THANK YOU, CITIZENS, FOR BEING HERE!

**ATTEST:**

**TOWN OF WALKERTOWN:**

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Lynn McKinnie  
Town Clerk

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Kenneth R. Davis  
Mayor