



## Town of Walkertown, North Carolina

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Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY 7:00 P.M. SEPTEMBER 23, 2004

# MINUTES

1. CALL TO ORDER @ 7:00 p.m. Mayor Doc Davis
2. DETERMINATION OF QUORUM Clerk  
  
Present were: Mayor Doc Davis  
Horace Warner  
Dot Duggins  
Sarah Welch  
Wallace Larrimore  
  
Staff: Toby Linville  
Lynn McKinnie  
Attorney Steve Garland
3. INVOCATION Mayor Doc Davis
4. PLEDGE OF ALLEGIANCE Councilman Wallace Larrimore
5. AGENDA ADDITIONS / CHANGES AND APPROVAL

Ms. Duggins added two items to the agenda:

1. #19 – Name a replacement to Planning Board in the space for Sleepy Vaughn

## 2. #20 – Report on the Housing Consortium Committee Meeting

Mr. Warner requested that under Public Session, the “*non-agenda*” restriction be removed from the Agenda, which was agreed upon by the rest of the council.

**MOTION:** TO APPROVE AGENDA AS AMENDED ABOVE  
**BY:** Horace Warner  
**SECOND:** Dot Duggins  
**VOTE:** Unanimous

## 6. PUBLIC SESSION

- The Public is invited to speak on any non-agenda item but comments should be limited to three minutes and speakers should avoid repetition. All speakers should fill out a form for the Town Clerk before speaking.

Public Session was opened at 7:07 p.m. There were two speakers:

### 1) Dale Folwell

I just wanted to come out tonight and thank Walkertown for their enormous support for my candidacy back in the primary process over the summer and the run-off process. It was a very overwhelming amount of support that I received from Walkertown and I just wanted to come out and say, ‘Thank you’. Councilman Larrimore asked what I had been doing since the run-off and I told him I had 83 cub scouts that I am a Cub Master for and Mayor Davis knows exactly what those responsibilities entail as far as planning for the whole scout year. So that’s what I’ve been doing, is kind of rounding those little guys up in the last five weeks. But, I intend to – if I am honored to serve the people of Walkertown – through the November election, I intend to uphold my promises and I want the people of Walkertown to understand that your problems are my problems. That’s the way a representative should act when they get to Raleigh. So I look forward to working with the City Council, if I am so honored to do so. I thank all the city staff who’s helped me along the way over the last three months as far as letting me know when events were and just wanted to come out and say, ‘Thank you very much’. I appreciate you giving me a couple minutes today to say hello. Finally, I have a high schooler this year so I have to be at the Career Center for an 8:00 meeting so if I leave a little early, I hope you’ll accept my apology. And I’m running for the “Little House” – instead of the “Big House”!! I’m running for the North Carolina General Assembly. As you know, Walkertown’s been put into a new district this year. One of the things I’d like to accomplish and many of you know about this item, is to put Walkertown back together again because it’s been split up. As far as from the Legislative side, I intend to work with Representative Brown from Kernersville. But we actually have precincts

within Walkertown that are split. We actually have one home in Walkertown, same address, same last name, couple have been married over forty years --- she's in one district and he's in another!! I think that confuses the voters and I think that separates the voters from the people who are there to work on their behalf and I don't know what part of the Legislative Session I'll have the opportunity to fix that but I just think that all precincts should be one precinct and everybody goes to that precinct and votes for one representative. On top of all that, having these split precincts costs this county probably \$100,000 this year! And no telling what just that one little item costs the state of North Carolina! I have 33 precincts in my area. My district goes from East Forsyth High School to all the way over to Forsyth Tech on Silas Creek Parkway. Ten of my 33 districts are split in half. So, I want to thank you for your time and hopefully will be honored to serve you after November. Thank you.

2) Marilyn Martin  
2733 Martin Street  
Walkertown NC

I would like to see this council at least consider using, as a guide, Roberts Rules of Order for the town meetings. I don't know what ya'll use now but I think the lawyer did say at one time you didn't use these. And put the '*No Consideration*' clause back in the meeting rules. Also, I don't understand why the same items are repeated on the Agenda. I thought that once you voted, either 'For' or 'Against' it was settled, unless it was tabled until more information was made available for the council. We have items coming up monthly or every two months that the council has made a decision on and this seems like a waste of time for our busy council. Thank you.

Public Session was closed at 7:12 p.m.

## 7. APPROVAL OF MINUTES

- Town Council Minutes - Regular Meeting – August 26, 2004

**MOTION:** **TO APPROVE THE MINUTES OF AUGUST 26, 2004**

**BY:** **Dot Duggins**

**SECOND:** **Wallace Larrimore**

**VOTE:** **Unanimous**

### DISCUSSION BEFORE VOTE:

Mr. Larrimore: I'd like to make a comment. Mr. Warner had asked a question on revenue – if it were paid monthly – and Lynn has a note on the bottom that this tax did start coming on a monthly basis. It's on page 21.

## 8. PUBLIC HEARING #1 – GLENWOOD DEVELOPMENT CO.

This Hearing was continued from Council Meeting of August 26<sup>th</sup>.

- Docket WA-015

- Zoning Map Amendment of Glenwood Development Company, LLC, for property owned by Raymond Harold Neal et al, and Walter Harvey Neal from RS-20 to HB-S (All uses in HB zoning district – TWO PHASE)
- Property is located on northeast corner of NC66/Old Hollow Road and Hwy 158/Reidsville Road.
- Property consists of 31.11 acres and is:
  - \*Block 5422, Lots 43A, 43B, 101A, and 101B.
- Site Plan is on file in office of City-County Planning Board.

### DISCUSSION:

Peggy Leight: As Glenn (Simmons) could not be heard tonight – they’re having a planning session down in Ashville, so all the planners are out of town right now. Just as a summary, if you will look on your charts, there should be two for each of you. One is the depiction of the property; the other is a more detailed site plan. You will notice that part of the review is incorrect and it is not 31 acres. It has since been reduced to 24 acres. So the size of the property now under consideration is at 24 acres. But the staff does need a new legal description from Patrick (Hennigan).

— They’ll need to have it so that they can put this in the computer and get the exact lines and dimensions of the property lines. ---

This is a request to rezone approximately 24 acres now, from an RS-20 to an HB-S (Highway Business-Special) which is a two-phase process. I’m sure all of you are aware, I know all of you have been at the different meetings of the Planning Board – so I will go straight to their findings, from the staff. They were saying that this area of town has gone through a lot of change with the addition of a shopping center across the street, and that there are out parcels in that property that have not yet been developed. There is no area plan. Walkertown, as you know, has a Land Use Committee who is putting together an area plan and they say that this is a premature request and think that it should wait until after the Land Use Committee has finished with the area plan. Legacy recommends development over a planned pattern and the current proposal has no planned pattern. They feel like that it’s too much development in one particular area in a central location. And there is no specific layout as to parking, building layout specific uses. As this is a two-phase petition, none of that will be decided until each individual parcel comes forward with a particular site plan. The Staff recommends Denial of this rezoning.

Now, I’ll speak from the *other* side – the Planning Board side. The Planning Board has met twice concerning this issue. We had a continuance at our first meeting because there were some issues of concern. Since then I know we have met with Mr. Hennigan and some of the changes have resulted in these two – the reduced site plan, and the proposed “ideal” plan. It has been

reduced from 23 lots down to 17 out parcels. We have added specific conditions to the conditions that were placed on it by the Planning Staff. If you will look on the plan produced by the Staff – the Staff Report – under the requirements that Glenwood Development will have to generate a traffic impact analysis as soon as 150 trips per peak hour have been reached. Now, that may be after the first development is put in; it may be after the second development – it depends on what kind of development goes in there; whether it's high-intensity or low-intensity. But he would have to perform that traffic impact analysis as soon as that 150 mark is reached. And that is determined from D.O.T. standards. All signs should be limited to monument type, with a maximum height of six-feet. The Planning Board added that there would be a maximum of two signs per out parcel – so each out parcel could have two monument signs for their piece. The project identification sign, which would be identification showing that this was *Walkertown Landing* as opposed to an individual unit --- there would be no more than four of those, with a height of no higher than 15-feet for each of those. A minimum five-foot sidewalk shall be installed on both sides of the *internal* streets, whether they are public or private – is the addition that was added. And this will not include 66 and 158, but all internal streets, which according to the site plan, would be the big curved one and then the two interior ones. So there are going to be four entrance/exits into this particular parcel. The larger ones having full-movement, right-turn and left-turn; the ones closer to the intersection of 66 and 158 would be right-turn only --- right turn in, right turn out. As a result of that traffic pattern that the D.O.T. has required of Glenwood, there will be concrete medians placed from the intersection going back to both full-movement intersections. It will keep the people from turning left into that first entrance and exit on either side of 66 and 158. All lighting shall be the shoebox type – this is the same as the other shopping center across the street; so it will be similar in looks. Some of the other conditions/additions that were added by the Planning Board is that street yard planting, where street yards are required, they will be of the large variety, which means large-scale trees will have to be planted on all streets – all internal streets. This is part UDO, Section 3-4.10 --- it identifies the types of trees that can be planted and the location of those trees. The out parcels – who can build in these out parcels – will be limited to the permitted uses that are listed on the site plan. Not all HB uses are allowed - only those that are on the site plan and this will need to be listed as an attachment to the final study. I believe Mr. Hennigan was going to provide that on a sheet as opposed to just on the site plan. The buffer along the sides – the buffers built that are not street side, but on the back side and then going up along here, that are up against the field, and the houses, the buffer will include a berm where the existing landscape is not sufficient so it will be more than just the 15-foot buffer that is currently required. I believe that was it. I know that Lynn put together a sheet identifying the additional conditions; I think that I covered all of them.

After all of this discussion and these additional conditions placed on the parcel, the Planning Board (Walkertown) recommends approval of this plan. Thank you.

Mr. Garland: Could I just ask one question? In the 'Other Requirements', it says here, '*Any new development generating 150 trips per peak hour.*' as you summarized that, it sounded like it was the aggregation of any new development. In other words, each one is not looked at for generating 150 trips but if the third parcels, but if the third parcel was developed, and that trips over to 60-60-60, then that would be required.

Mr. Hennigan: I don't think that's the way it goes.  
**MR. HENNIGAN COULD NOT BE HEARD FROM THE AUDIENCE. NEITHER COULD THE REST OF DISCUSSION BETWEEN THE PARTIES TALKING.**

Mr. Garland: It's acceptable as Peggy understands it. What I'll probably do is change the wording then to make sure it corresponds to what you said.

Public Hearing was opened at 7:25 p.m.

THOSE SPEAKING IN FAVOR: (7 IN TOTAL)

1) Robert Neal  
6360 Mill Spring Lane

Most everybody has a concern when you talk about development. One of those concerns is about traffic. And I will be the first to admit that in Walkertown there's times when there's a lot of traffic! But if we didn't have traffic, I'm sure the businesses wouldn't want to come here to start with. But from what I've seen, through then new shopping center put in, and from what I understand that's going to happen with this new development if it does occur, I don't foresee a problem. In the times I travel in and about Walkertown, I do not think the shopping center is generating the additional traffic that's causing the problems. I think it'll work out. I don't think traffic should be a concern. The other concern is community changing. The communities always change. I remember when the local restaurant around here was Sparky's. The Gant station used to be up there where the Eckerd's now sits at. We used to go to the grocery store, the best I remember, it had two cash registers and probably wasn't as big as the whole produce section over at the Winn Dixie or the Lowe's grocery stores. And I remember the church, when I first joined over at Morris Chapel, we didn't have air conditioning. When the preacher said his last prayer, I started trying to pull away from the pews so I could leave when the church was over with. Things change. At work, when we have a meeting, they always remind us, "*The only thing for sure is change*". Walkertown has been changing for the last 40, 50 years. It's just a matter of how we accept it; and how we go with it. I think the property they're talking about developing would be a nice addition for Walkertown and for this community. This property has generated income for my grandparents for many years. I've helped them prime tobacco over there – pulled a few green tobacco leaves, I will admit. But now my grandmother is needing the support that property can provide. And it's not going to be from raising tobacco, from planting wheat or corn. The best bet for her financial situation is the rezoning and development of this property. For those reasons, I ask that you accept this property for the rezoning and the development. I appreciate your time.

2) Patrick Hennigan  
132 Greenhill Lane  
Mooresville NC

Mayor, I think later in the program, if you want to ask me questions, I can answer them, I suppose. But to summarize, a lot of you were here Tuesday night. We went through a lot of details of the project. I agreed to a lot of changes to the project – both at that meeting, Tuesday night, and at a workshop meeting a week prior to that. Principally, we reduced the size of the project and added all the things that Peggy mentioned, which are significant --- and I think we've done a good job to put our best foot forward and make concessions and try to make it a project that is acceptable and even better than it was as initially proposed. I think we have a good track record to stand on here in town with the shopping center and the way we've conducted ourselves over the last five years, working with the Town of Walkertown, and we'll do another quality project on the Neal property. It'll be a little different because it won't all happen at once. It'll be when we sell one of the out parcels, that's maybe an acre, acre and half, a building will get built, and then when we sell the next one, another building will get built that's maybe a drugstore, maybe it's a restaurant, maybe it's a doctor's office. So it's not like a shopping center, where you look up one day, and then the next day, there's 100,000 feet there. It's just not that way at all. It's a different type of product. So I don't want the town to think that you're going to go to sleep one night and wake up the next night and there's going to be 17 out parcels there. The out parcels will be developed as the town is ready for them because people won't invest in any town until the market's there where they can make a living at it. For instance, if a lot of new houses get built, then a new doctor's office is necessary then this will be a great place for that to be located. Similarly, if a lot of new houses get built, then – what do they say – when there's one lawyer in town, he's broke ---- and when the next lawyer moves to town, then they got business because they can sue each other !! I don't know!! (Just a little humor there!!!)

.....Mr. Garland:                   Ha ha ha ha ha ha !!!! .....

Mr. Hennigan continues:        Anyway, it'll be a gradual thing as the town is ready for those new buildings to be built for whatever uses they may be. And the uses are not a real mystery, They'll be what you typically find in any growing community. I can't tell you exactly what they are now because we haven't sold the parcels yet. We can answer questions later.

Mr. Warner:                    Mr. Hennigan, do you propose to take ownership of that property or at least have it under option until whatever happens, whatever time that may be.

Mr. Hennigan:                Yes.

Mr. Warner:                    For example, I believe the Weavil property is still under option but nothing finalized. And that was approved for you back in January or February.....

Mr. Hennigan:                Let me give you an update, there. On our out parcels, on the project. We have four. We have the one where Sheetz went in; we have Wendy's. The other one, that's as you're looking at it from 158 to the right of Wendy's, that is being sold – it's going to close a week from today – and that

is Advance Auto Parts store. So that's 3 out of 4. And the fourth out of four, I can look you in the eye and tell you we have a deal – working on that – but I can't announce it yet. But it's a very good use and people will be happy with it. So, out of those four out parcels, we've got three out of four, that a week from now are going to be totally taken care of and another one that will be in a couple of months. The Weavil property is finalized in the sense that we've got the rezoning; we've got our highway permits; we've got all our permits; we've got our contract with the Weavils. But, I guess like anything, we do one thing at a time. And the thing we've been focusing on right now is these out parcels and we've got them spoken for so now we're marketing these out parcels and then by the time this project is ready to go, we'll be ready for it.

Mr. Warner: But they retain ownership of the new, final project, which means that this is left in limbo for the property owner until the things are finalized, is that true?

Mr. Hennigan: No, I wouldn't say it's left in limbo – it's the way this type of business is done throughout the country where the dollars are fairly large so we have a contract that says when we want to close, within a certain period of time, at a certain price, we can close. And we negotiate that amount of time so that we've got time to get our approvals, market the property, make sure we've got the right deals in place; which, by the way, there is interest and we'll be developing this property.

Mr. Warner: Is there any provision for acceleration of agreed-upon price due to inflation and such, for the property owner.

Mr. Hennigan: I'd say that is kind of private information but the Weavils are very intelligent people and they made a good deal.

Mayor: While you're still answering questions, are the apartments still going forward?

Mr. Hennigan: The apartments ---- we're working on it. None of these deals are totally done until they're out there moving dirt. So I can't tell you that they're moving dirt yet, but we're still working on it.

3) Kathryn Sell  
6695 Belews Creek Rd.  
Belews Creek NC 27009

I appreciate the opportunity to speak in favor of the rezoning tonight. This land has been in the Neal family for 135 years. The main purpose of this property was to take

care of our parents. Our dad was in a nursing home for five years and our mother has already been in a nursing home for four years. It was always understood that this property would be used for their care in their aging years. At this time, we have an option from a reputable, and well-known developer, to develop the land. We feel this would enhance the Walkertown community and at the same time fill our needs. Thank you.

- 4) Wilma Hendrix  
1203 Marietta Dr.  
Kernersville NC 27284

Thank you for letting me speak. The developer of this proposal does quality development. The best example is the existing development across the road, Walkertown Commons. And we understand that this won't all be developed immediately and it will happen over a period of time. This commercial development will provide more revenue to the town than a housing development. A planned area is better than selling lots separately with no overall plan. In light of the fact that this land cannot stay in the family and remain farmland, I believe that the best choice is the plan proposed by Glenwood Development. In my opinion, this location is the best in Walkertown for new commercial development.

- 5) Harvey Neal  
2982 Avalee St.  
Walkertown NC

I think the land should be rezoned for business. The land is now zoned RS-20 for houses and I don't think anybody would want to build a house near the intersection of 158 and 66. I don't think anyone would and I know I wouldn't. Thank you.

- 6) John Tingen  
4585 Rock Lane  
Walkertown NC

I appreciate your letting me speak a minute here briefly and give you my thought on this. I have been here in the Walkertown area for several years and it's always been people that live north of Walkertown, towards Stokesdale, towards Danbury, see how quick they could get through Walkertown to get to work, how quick they could get through City View or Ogburn Station. Ogburn Station and City View stood still. They didn't have new investments. And Walkertown has a chance to have that now. I hope you'll see fit to help this progress. One reason is, I don't mean to be a penny pincher, but I love that twenty cents on a hundred tax thing we have here where Kernersville comes up with something like fifty cents. And of that 20-cents, maybe 6-cents of it is the fire tax, so that cuts you on down to 14. By approving projects like this --- I call it a project but it's a development ---- like this, you bring forth extra money for the town and you won't have to go up on my tax! And you'll help the fire department. I remember in the last two years, the fire department needed a new instrument to detect heat to help find people in a house, and the town did donate a little extra money. This will give the fire department extra tax revenue, as well as the town extra revenue and you won't have to go up on our house tax and I appreciate that, too. The intersection – traffic – everybody talks about traffic, traffic. If nothing is built, anywhere else, there's going to be an abundance of traffic coming through, just like it has for the last many years. I've seen stuff at 66 and 158 – I stood there and talked

to Lewis Martin, last time I ever had the privilege of talking to him, and I'll be there's one come 70 miles and hour through there. And there's already a wreck, a Roadway sitting there by the side of the road. And Lewis, shaking his head and I told him, "You can't do anything about that, Lewis." But, now, something has been done about it and I've enjoyed a safer movement through this intersection than I have in the last 35 years. It's slowed down; it moves through an orderly order and I think it's a lot safer. The things that's already been done and the things that could be done through this extra development here on the other corner, I believe it'll help. And it'll give us – already these new businesses like Sheetz and Lowe's – look what they've done. They've done helped the school and they've made donations to different things. We could use this kind of help in this community and it won't wind up coming to a point that nobody wants to be here. Everybody's going to want to be here. Thank you for hearing me.

7) Marilyn Martin  
2733 Martin St.  
Walkertown NC

I wish to speak in favor of rezoning the Neal property commercial. We already have a shopping center across from this property. And I know that the traffic that is on Highway 66 and 158 is not caused by the shopping center but by the outlying housing development. Both of these highways are major thoroughfares and people travel from all locations around Walkertown going to and from work. I agree we need road construction to handle this traffic and we can ask our elected officials and town manager to plead our case with D.O.T. about the increasing traffic in and around our town. There are already some plans in the works – widening 66, 158, and the beltway, but all these are in the future. The Neal property will be developed at some point in time and I would favor Mr. Hennigan's plan over a housing development, which would really add to the traffic concerns in this area. I know Walkertown is changing and, frankly, I would like to see it remain a quiet bedroom community and grow more slowly. We're working on a plan to help in our growth and we'll have another open meeting in the future to show what has been done so far and ask for more suggestions from the citizens. Many of these plans are twenty years in the future and a lot of us won't be here to see it but our future generations will be. In containing commercial in the one area for now, hopefully, it will prevent Highway 66 from becoming a strip mall from Highway 311 to 158. Thank you.

THOSE SPEAKING AGAINST. (1 IN TOTAL)

1) Glenn Eaton  
3591 Old Hollow Road  
Walkertown NC

I'm not against growth in Walkertown. I think there's some exciting things happening and I think it's great. I think one of the problems that we do run into is that with this particular shopping center, adding traffic to 66, I believe it is going to be a problem. I believe it's going to be a problem because they're already talking about putting concrete down the middle of the street, restricting only right hand turns instead of left hand turns. Anytime you start doing that, and D.O.T. gets involved, they're going to do the best they can but they're going to be limited to what they can do and then once it's there.....I mean, obviously, it would be a whole lot better if 66 was widened now and we could see what that outcome would be. But I'm afraid what's going to

happen is we're just going to do the best we can to control the unknown traffic that's getting ready to be created. So that's the main reason for being against the property. Thank you.

## PUBLIC HEARING WAS CLOSED AT 7:43 P.M.

Mr. Warner: Mr. Mayor, may I make a statement, please? I came prepared to ask for a tabling of this until our next meeting because of two things. First of all, I think it's very close to the Planning Board's meeting and I don't know whether our council – I hope they've gotten all the details to it. But I was at the Planning Board pre-meeting and picked up one of their agendas and also with that was a staff report, which apparently has been revised, according to Ms. Leight, in that the staff report in ours does not include ---- the staff report does not include everything that was in that previous one. And I gather that those things were overcome, or worked out, is that correct? They had four findings and she addressed some of those. One of those being the plan is speculative in nature as it does not give any indication to parking and building layout, specific uses function or integration among out parcels. This particular document, to me, actually gives that information. And then one thing that doesn't change is the Legacy recommends commercial development occur in a planned pattern of development in grade retail. Offices used for the variety of higher CANNOT UNDERSTAND WHAT HE IS SAYING The current proposal has no obvious planned pattern. Then number two was no adopted area plan to define the limits of highway orientation outside established commercial districts. Staff is of the opinion this is a premature request. This appears to me that this information here somewhat addresses that statement there. And I'll ask Ms. Leight, is that not the reason this was not included in your staff report?

Ms. Leight: Staff does not have time to rewrite the report and the staff does not go by this. This is not a true site plan.....

Mr. Warner: .....You're talking about the City-County.....after you had your meeting, okay, you were able to address that.....you had access to that when you actually wrote your staff report here.....okay.....that answers that... ..but then we're back to the issue there.....do we want to put a 30-day period in here after the Planning Board to give us further time, or future time to consider it....not only on this, but I'm talking about the future. And I don't know the pleasure of any council members but myself. I don't think that 30 days would be detrimental to the project and I feel like then it's ample time for consideration.

Mayor Davis: Well, regardless of what we decide tonight, I think we need to handle the two separate situations, as far as this and then further, we need to deal with that in a few moments later. But tonight we'll deal with this one first.

Mr. Larrimore: He has the drawing on him, with him, tonight.

Mr. Warner: There's one other thing that concerns me. If you'll read in the staff report, and this is the one given to us with our agenda, on page 5, of the Draft shown in staff report which is given to us under Item #a. Under *Other Requirements*, it says: "As part of this TWO PHASE zoning all outparcels shall require a Final Development Plan approved by the Walkertown Planning Board." Now, I take concern with that in that I think that the Council should be the final approval. Sure, we need the Planning Board's approval, but then they can make a recommendation to the Council and the Council, being the elected board should be the one that has the authority and the responsibility of that final approval.

Ms. Duggins: We always have the final approval. This is simply the two-phase zoning, meaning that when they do the site plan for each particular piece of property that is sold; that goes back to the Planning Board and they make a recommendation, just like they did tonight on whether or not we will accept that. Then we make the final decision on it – unless there's a ruling.....

MORE DISCUSSION ENSUED BUT COULD NOT BE DECIPHERED BECAUSE THE SPEAKERS DID NOT GO TO MICROPHONE.

Mayor: .....Ummm.....Excuse me, Mr. Warner, go ahead.....

Mr. Warner: .....If I understood, if I remember what he said at that meeting, unless the council makes that a condition. Did he say that or not? That's my memory.....

Mr. Garland: .....I think that you can make it a condition.....

Ms. Duggins: .....I have no problem with making it a condition.....

Mr. Warner: .....I don't think anyone really objects to that because the council, as you say, has the final authority anyway. But then we are responsible to the people, the citizens. And I think that authority and final report should rest through this board.

Mayor: I had one question and I would normally address this to Daren Ziglar and Peggy Leight but since Daren's not here, I'll address to Marilyn Martin. On behalf of the Land Use Committee, Marilyn, and Peggy, I know you from the Zoning Board have already put your stamp of approval on it, are ya'll comfortable, even though the staff report says, "Premature because the plans are not complete". Is the plan moving in the direction that that would not interfere in both of your opinion?

Marilyn Martin: I have not been working on the committee that is working on the business end of it. But I've heard discussions among them, and from what I gather, it seems that the commercial part is going more in that area. Because of what's already in place down there. We won't be through until April of next year.

Mayor: Well, we're not looking to delay this til April but at the same time I know we've used several times, and we will use it later tonight, as some of our reasoning for what we're doing, is waiting to be sure we don't get ahead of the Land Use Committee.

Ms. Martin: Steve (O'Ferrell), you're on that committee. Is that what you've been.....?

Steve O'Ferrell: What we're looking at is 20-years down the road – future plans. That's already in the works up there.....

Ms. Martin: .....Yeah. That's right.....See, this is already established and started in there and we're more or less heading out to the time when we won't be here to see it.

Mayor: As far as you two are concerned, this is not violating anything that you would be doing as far as being premature.....

Ms. Martin: .....No.....Because it's already established.....

Mayor: .....All right.....So it wouldn't be premature in you mind.....Is that correct.....?

Mr. Warner: I think I've raised all my concerns and it's up to the pleasure of the council to hear whether they want to wait 30-days and give that and make that a common practice....Whatever the council agrees.....

Mr. Larrimore: .....I have got.....

Ms. Duggins: .....I do not want to wait 30 days. By the time this developer starts to get these things in order and he's got to get permits for a lot of things. It's not going to happen overnight. But he does need to start getting things in order and the Neals' need to --- they've explained to us why they feel that they need to sell this property. It's very clear. It is a shame to have parents in a nursing facility – and they need to pay the bills – and to have all the property they have --- and not be able to sell it and do this. On the other hand, it is also, I see no conflict, problems within the Town of Walkertown, as Ms. Martin has said. It is very clear that this is a pattern that is already set. There is certainly not going to be any housing development that

wants to go into that particular place. It's going to be business and it's clear to each one of us there's no point in waiting a year, a month; I think we should go ahead and settle this tonight.

Mr. Warner: With respect to what you just said, I fully think the 30 days would not be a problem at all because there's an option here, the planner always says it can't happen overnight. So I don't think 30 days would be prohibitive, certainly wouldn't be a problem to the landowners as far as their conveying of the property.

Mr. Larrimore: It's been continued twice, Horace. I used to get in an airplane and fly to Texas with a roll of drawings like this and make bigger decisions than this on my flight back.

Mr. Warner: I understand it's been delayed twice but there, again, we've just now gotten the Planning Board..... I just said, what's the decision of the council? Ms. Duggins has expressed her pleasure; I disagree with it and that's only normal.... (MUCH LAUGHTER!) If any of the rest of you would like to speak, either pro or con, please feel free to do so! *[I didn't mean that quite like it sounded!!! But any rate we're all at ease.]*

Mayor: Are you thinking of taking it back???

Mr. Warner: No!!! It's kind of like a stone, once you've thrown it, it's gone! But whatever the pleasure of the council is, is what I'm really trying to say.

Ms. Martin: I just wanted to say that I'm not speaking for the whole group. What I said is what I, myself, is saying.

Mr. E. A. Jumper: I'm on the Land Use Committee. Marilyn is correct. What we're working on is what Steve said, twenty years down the road. We are prioritizing the four different groups. This is a done deal. We are not even, for lack of a better word, I'm going to say wasting our time discussing it. We have accepted the fact, and we favor the fact, it would be a business development. We are discussing things that can be done, hopefully, twenty years down the road. We've got four different areas that we are working on. Steve is correct; Marilyn is correct; and you're correct in the fact that we have accepted the fact --- we want it developed. There's no point in our meeting here trying to figure what's going to happen twenty years down the road when it's in the process of being done right now. For what it's worth, I commend him; I hope you all vote favorably for it. I think most of the people in -- and I'm going to debate with him -- I'm going to disagree with him -- I don't think we need to wait 30 days. Thank you.

Mr. O'Ferrell: I know the situation I was in when the City of Winston-Salem had the Planning Board.....it went through that and then they posted signs again and called the neighbors – the commissioners. And ya'll are basically the commissioners now, right? I just want to know how the legal part of this is. Do you know, Steve, what the legal part of this is? I mean, like, Forsyth County's Planning Board.....

Mr. Garland: .....Right. They're no longer involved.....

Mr. O'Ferrell: .....Are you legally binded to call all the adjoining property people between the Planning and the.....

Mr. Garland: .....No.....You're not required to call.....

Mayor: .....This would be totally separate now. It's under the Walkertown zoning now.....It's not under Forsyth County.....

Mr. Garland: .....I think the question is, do you have to phone every neighboring person. You don't need to.

Mr. O'Ferrell: .....Between the Planning Board and the Commissioners...  
....

Mr. Garland: .....I'm not aware of any requirement that you make telephone calls.....

Mr. O'Ferrell: .....Ya'll need to need to kind of set a precedent for future on that, I think, maybe.....

Mayor: All right. The plan before us, if I understand correctly has seven conditions, is that correct?

Mr. Garland: "If you look at the last page of the planning report – I know Horace had that. But, the planning report had a number of conditions that were incorporated in those seven. Item #1 of those seven, Mayor, was '*Requirements as contained in Staff Report*' and so that's a list of recommendations of conditions about priority issues, grading permits, building permits, occupancy permits and other requirements. On that score, I would suggest, depending upon – I don't know if you've gotten beyond or still are dealing with the issue of whether you're going to postpone this or not – but if you're going to take it up tonight, I would suggest some changes to some of the language in the last of the requirements to deal with the two issues we talked about. One was the one I talked about with Peggy, which was to make sure that the trips are cumulative rather than each individual lot, which I

understood that the petitioner had agreed was okay. And then, secondarily, to make sure that when the development plan comes back, it is approved by the Planning Board and the Walkertown Town Council. So, the changes there would be that (A) under *Other Requirements* would say: “Any new development causing the combined development to generate 150 peak trips per hour” and then go on to say “shall require a final development plan approved by the Walkertown Planning Board and the Walkertown Town Council”.

MR. HENNIGAN SAID SOMETHING THAT COULD NOT BE HEARD AND THEN MR. GARLAND SAID:

Oh. I see what you're saying. Okay. So “**reviewed** by the Planning Board and **approved** by the Town Council.”

Ms. Duggins: Are you ready for a motion?

Mayor: No. Can you give me just a minute? I'm trying to get squared away on these.....Steve, maybe you could help me here with *'Requirements as contained in the Staff Report'* ----- Staff Report meaning,..... on page 4, okay?...  
.....That's all that .....Right.....Okay.....

Mr. Garland: .....If you look.....I'm sorry.....On page 4.....Starting with.....It's all the stuff in the bullet points.....Over to page 5.....down through *Other Requirements* .....And where I was adding was to **a. Other Requirements**.

Mayor: .....You were clarifying, under “a” the 150 peak trips. Then you were also clarifying the final development plan approved by the Planning Board and the Council.....

Mr. Garland: .....That's correct.....Yep.....

Mayor: Are there specs on the berm, Ms. Leight?

MORE DISCUSSION ENSUED ON THIS SUBJECT, MOST OF WHICH COULD NOT BE HEARD BECAUSE SPEAKERS WERE IN AUDIENCE.

Mr. Garland: .....And I guess the question here would be, Peggy, are you okay with what is shown on the [new] site plan? And if you are, then what I would say is 'addition of the berm as shown on site plan'. Then that would be the additional change – to add to #2. When the motion is made, it's going to incorporate the staff recommendations as revised during tonight's meeting. The only other thing I need to point out is despite that drawing, this is the site plan that they can be held to with respect to what's going to happen with the property, what they're going to come in with. Now they would have to come back with site plans for



Lynn: You guys are saying such good stuff, but it won't be picked up on the tape and it's so important!

Mayor: I feel like we've got a lot of information. I feel like I've gotten things cleared up for me, that I did not have access to before.

Mr. Warner: I was going to say just what you've said. I asked for thirty days as a routine for this and Ms. Duggins said, 'No. Let's go ahead with it.' We've gotten many of these questions answered and exposed to the council now. And it's up to the pleasure of the council now. There is one thing I still have, though, and that is, under 'Analysis' on page -3- of our Planning Board Zoning Staff Report -- it says 31 acres. Clarify to me, are we zoning the full 31 acres, or only the 24 acres?

Mr. Hennigan: Twenty-four.

Mr. Warner: Twenty-four? So that should be changed.

Mr. Garland: Again, at the time that document was done, it was, so it's really not changing that document when you get around to the motion, if you make a motion, what we're going to do is make sure that it's clarified that it's only the matter shown on the site plan, which are only the 24 acres. If you're around to a motion, I'd be glad to suggest language, if you'd like.

Mayor: I think we're getting close, Steve! I think we're getting close. I would like to see us, councilmembers, if you could, let's try to deal with this tonight, one way or the other. I think we're all in the spirit to get this behind us.

Ms. Duggins: In view of that, could I make the motion? The motion, and make sure Steve that I'm right on this, that we recommend passing this tonight, the Neal property, the Walkertown Landing is what it's called, plan; with the changes to incorporate the 150 trips per hour or more shall submit to a certified traffic impact analysis in accordance with the UDO requirements. With conditions shown on the site plan, to be in the conditions that we're talking about tonight and approved by the council. Now, clean up my language!!!

Mr. Garland: Could I sort of summarize that, please? I think it would be that you would move approval of the HB-S zoning, 2-Phase of Docket WA-015, approximately 24 acres for Glenwood Development LLC, from RS-20 to HB-S, 2-Phase, with the conditions set forth in the Staff Report and the conditions recommended by the Planning Staff, each as revised tonight pursuant to the wording presented by your council and then I think that would be satisfactory. Ordinarily, in these HB-S, what you do first would be rezone HB-S and then what

you would do is adopt the site plan. The only additional thing would be to limit the uses to the uses shown on the site plan.

Mr. Warner: Did you include in there that the Planning Board will recommend to the Council and the Council will be the final.....? .But ..... that's .....included.....in your wording?.....

Mr. Garland: .....Yes. That would ..... have been..... Again.....  
..... The amendment.....that I had suggested.....were included.....  
..... And I guess, Ms. Duggins, perhaps "So Moved" would be .....

Ms. Duggins: So moved!

**MOTION: TO MOVE APPROVAL OF THE HB-S ZONING, 2-PHASE OF DOCKET WA-015, APPROXIMATELY 24 ACRES FOR GLENWOOD DEVELOPMENT LLC, FROM RS-20 TO HB-S, 2-PHASE, WITH THE CONDITIONS SET FORTH IN THE STAFF REPORT AND THE CONDITIONS RECOMMENDED BY THE PLANNING STAFF, EACH AS REVISED TONIGHT PURSUANT TO THE WORDING PRESENTED BY YOUR COUNCIL(SEE ATTACHED EXHIBIT "A" FOR LANGUAGE)**

**BY: Dot Duggins**  
**SECOND: Wallace Larrimore**  
**VOTE: Unanimous**

Mr. Garland: Well, no. Then the second, actually, item, you need to approve the site plan as submitted with the conditions as stated. So moved again would do it.

Mr. Larrimore: I make a motion we accept the site plan.

Mr. Warner: Can anyone give us a site plan?

Mr. Garland: Yes, sir. That's the one that you've been looking at that he has right now.

Mr. Warner: But we haven't seen that.

DISCUSSION ENSUED AMONG THE COUNCILMEMBERS THAT COULD NOT BE DECIPHERED.

Mr. Garland: Mr. Mayor, if I may. Again, this is the preliminary site plan that is --- the second phase is coming back so all you're really approving here is where the lines are and where the streets are and to the extent that anything changes later on, they would have to come back and ask for an amendment to that. So, again, in essence, approving the zoning is

an indication that the site plan is satisfactory and that was certainly the recommendation of the Planning Board.

Mayor: Okay. Are you ready to make a motion.....?

Ms. Duggins: I make that motion that we approve the site plan as Patrick has presented. Have I left out anything?

Mr. Garland: And as recommended by the Planning Board, with the changes that we have added.

Ms. Duggins: So moved.

**MOTION: TO MOVE APPROVAL OF THE SITE PLAN AS PRESENTED BY GLENWOOD DEVELOPMENT LLC, AS RECOMMENDED BY THE WALKERTOWN PLANNING BOARD, AND WITH THE CHANGES THAT WERE ADDED (SEE ATTACHED EXHIBIT "A" FOR LANGUAGE)**

**BY: Dot Duggins**

**SECOND: Wallace Larrimore**

**VOTE: Unanimous**

9. PUBLIC HEARING #2 – SIDEWALKS REQUIRED

This Hearing was continued from Council meeting of August 26<sup>th</sup>.

- ORDINANCE #04-\_\_\_ - To Require All New Commercial Properties To Install Sidewalks
- Amendment to the Town Code of the Town of Walkertown

DISCUSSION:

Mayor: Do we not have anything in our packet on the sidewalks? Have I overlooked it?

Mr. Linville: There haven't been any changes. I apologize. I just haven't had any time to work on it. There's a big stack of sidewalk stuff on my calendar that's next on the list but haven't been any changes from last month. So you may just want to continue that and, hopefully, this month, I'll have a little time.

Mayor: But we do not have anything in our packet? No. Why don't we go ahead since we've already decided to have the public hearing, is the council in

favor of having the public hearing on it and then we can deal with this the next meeting, since it's not prepared. Is that agreeable with everyone?

Yes.

PUBLIC HEARING WAS OPENED AT 8:15 P.M.

- 1) Brenda Mabe  
5155 Sullivantown Road  
Walkertown NC

I'm neither for nor against but I just want to clarify about the sidewalks. I noticed that when the sidewalk gets up to the corner of Ruxton Drive, you go across the street, the sidewalk on the other side is not uniform with the sidewalk on this side. To me, I like to see it all the same. I notice on Eckerd's, they have a space between the sidewalks and the streets – the grass area – and on the other side, it's solid. So, I think, the Planning Board, it's going to be uniform in the future, I notice you're going to plan on business \_\_\_\_ so I think maybe, some guidelines, maybe to stress are they all going to be the same? I would like for them all to be the same in town because I think it looks better. Secondly, right now, there's only one homeowner who is responsible for their sidewalk so I still think we need to let the public know this and I'm neither for nor against it. Since the Town Council wants it, you say we have the money, that's okay. But I think we need to look at some situations before we proceed further in this to make sure. Personally, some people don't pay attention but I spotted that right away. So I like uniformity – I don't know how you feel about that but I just wanted to point that out.

Mayor: I missed your question or your comment concerning.....the responsibility of the homeowner.... I didn't catch what you said.

Ms. Mabe continued:

I think the homeowner, the people who own the sidewalk in front of their house, is responsible for that sidewalk in inclement weather. Because you are responsible for that! In other words, if that sidewalk has snow on it, you have to remove it. Right now, we only have one homeowner who has that; the rest are business. Of course, they're going to take care of that. But some people don't know that, but that is a responsibility of the homeowner when the sidewalk is in front of their house.

- 2) Patrick Hennigan  
132 Greenhill Ln  
 Mooresville NC

Since we're doing sidewalks, we should pass that ordinance and go for it!

LAUGHTER!!

Mayor: We've decided to postpone dealing with the sidewalks til next month so we'll have the work-up materials in our packet. We've had the Public Hearing and if no one else wishes to speak, we'll declare the hearing closed.

PUBLIC HEARING WAS CLOSED AT 8:20 P.M.

Mr. Warner: Okay. You've said we'll delay that til the next meeting; now that would also affect this zoning that we've done tonight? It would be part of that condition, is that right?

Mr. Garland: No. You adopted those conditions tonight and I believe they are required both sides of the street.....

Mr. Warner: .....That is according to the Planning Board, yes. And we would have final authority on the approval as to whether he did or didn't but that would include that even though we don't adopt it until the next meeting?

Mr. Linville: Right.  
Right.

Mayor: That's totally separate from what I understand. Isn't that correct, Steve? What we do with the sidewalk ordinance will not affect....?

Mr. Garland: It was a condition already so you didn't really face the issue of requiring it.

10. RESOLUTION #04-029  
To Authorize a Tax Refund in the Amount of \$19.78 to Bruce Guthrie

**MOTION: TO APPROVE RESOLUTION #04-029  
TO AUTHORIZE A TAX REFUND IN THE AMOUNT OF \$19.78 TO  
BRUCE GUTHRIE**

**BY: Wallace Larrimore**

**SECOND: Horace Warner**

**VOTE: Unanimous**

11. RESOLUTION #04-030  
To Approve the Piedmont Triad Stormwater Quality Partnership Intergovernmental Agreement for the Educational Requirements Of the NPDES Phase II

DISCUSSION:

Mr. Linville: You'll see in your packet the Interlocal Agreement that all the local governments have been signing to become a part of this partnership. This committee has

brochures explaining what the stormwater rules, how they affect homeowners and business owners, and it includes the dues that help pay for radio and television ads that will include our name – if we join. During our budget, we had put the money in the budget to join this committee and this is just the formality to actually place us in that interlocal agreement.

Mr. Warner: How will our costs be calculated?

Mr. Linville: It's by population and the estimate from them was \$1,500 and we budgeted \$2,000, so.....

Mr. Warner: And I notice many of them of our size, it is \$15, 16, 1700 dollars. It also says in here that the Randleman Lake Watershed --- do we have any participation in that Randleman Lake Watershed?

Mr. Linville: That's how this project began as an education for that project and then it's filtered over into stormwater, so... it's not the same thing.

Mr. Warner: And I can see that Guilford County and those are more involved in that and, of course, higher costs, too. I don't see any other municipality in Forsyth County other than Winston-Salem ---- Kernersville is, I beg your pardon ---- but beyond that, are none of the others involved in that?

Mr. Linville: Rural Hall, Clemmons are doing the same thing we are doing tonight. They're joining now. And Lewisville is showing some interest.

**MOTION: TO RESOLUTION #04-030**  
**TO APPROVE THE PIEDMONT TRIAD STORMWATER QUALITY**  
**PARTNERSHIP INTERGOVERNMENTAL AGREEMENT FOR THE**  
**EDUCATIONAL REQUIREMENTS**  
**OF THE NPDES PHASE II**

**BY: Dot Duggins**

**SECOND: Sarah Welch**

**VOTE: Unanimous**

12. **ORDINANCE TO BE CONSIDERED**

- **ORDINANCE #04 \_\_\_ -**  
To Impose a Moratorium on Manufactured Housing Pending Completion of a Comprehensive Plan

**DISCUSSION:**

Mayor: You have in your packet a Draft copy of the ordinance. Is there a motion on this ordinance?

Mr. Warner: Did we propose a number of days here in the last paragraph?

Mayor: Steve, do we have to put that in?

Mr. Garland: Yes, I think so. I talked with Bo about this. You know, moratoria are permitted as long as there is a finite amount of time and a rational reason to have it. I think if you were to say *'until the Comprehensive Plan is completed'* the problem there would be that somebody might say it's too indefinite a period of time to enforce. So I would suggest that you include a specific time period of days ---- 110, 120, 180 ---- and then you can always come back and extend it for a short period of time perhaps, if you need to; but I'd rather have a definite period of days than I would have an indefinite time if we're going to possibly have to deal with the challenge to it.

Mayor: Since we're looking at mid-next year, why don't we start with 180 days, would the council be in agreement with 180 days? And then if we need to extend it, we could. Is everyone in agreement with that?

Ms. Duggins: Yes. That should take us to April.

Ms. Welch: Yes.

Mr. Linville: I think one thing that needs to be added to this is an exclusion for folks that have already sited a manufactured home and they have to go back after five years and get a renewal from the Board of Adjustments and we don't want to place this moratorium on them. I think Steve can help me with some language on this.

Mr. Garland: Actually, maybe there what we could do is *'Be if further ordained'* I mean the second one up from the bottom ----- *'Be it further ordained that the Town shall not accept any **new** applications for Special Use Permits to allow **new** manufactured housing... ..'* Let's put the "new" in there twice to make sure that it's clear because somebody might consider.....

Mayor: .....Is that then intent of the council?

Ms. Duggins: Well, those that are already there that after five years have to have a renewal, we can't impede them.

Mayor: Right now, it pretty much falls in your hands.

Ms. Duggins: Well, I wouldn't want to.

Mayor: I'm asking the intent of the council.

Ms. Duggins: Someone’s already living in a home that they’ve been in, I wouldn’t want to do that.

Mr. Warner: Let me ask, those that now come up after five years come up for renewal applications so renewal would identify those?

Mr. Garland: That’s why I was saying “new” and put it in both places – that way, if it’s existing manufactured, that’s sort of new compared to existing --- not new compared to used.

**MOTION: TO APPROVE ORDINANCE #04 \_\_\_\_ - AS CORRECTED WITH “NEW” AND 180 DAYS TO IMPOSE A MORATORIUM ON MANUFACTURED HOUSING PENDING COMPLETION OF A COMPREHENSIVE PLAN**

**BY: Horace Warner**  
**SECOND: Sarah Welch**  
**VOTE: Unanimous**

13. WATER COMMITTEE MEETING

- Water Committee Minutes of 09/13/04

RESOLUTION #04-031

- To Authorize Town of Walkertown to Convey One or Both Unused Water Tanks to Packaging Corporation of America at No Charge

DISCUSSION:

Mayor: The Water Committee recommended that we go forward and dispose of one or both water tanks to the people who are interested in it and that is Packaging Corporation of America in Georgia, that are interested in it. And the Water Committee has met and recommended that we do make this available to PCA and we have a resolution that says either or both – the 200,000 gallon tank off of Dillon Street and the 100,000 gallon tank behind the old fire station. I think they’re only interested in the 200,000 gallon tank because they need 180,000 gallon capacity.

Mr. Warner: Now, I’m concerned over that fourth

WHEREAS –  
*‘WHEREAS, Packaging Corporation of America (PCA) a company located in Valdosta, Georgia, has agreed to take the tanks at no charge.....’* They haven’t agreed to take anything, they’re just interested. Right? Isn’t that overstating it a bit?

Mr. Garland: *‘...has agreed to consider....’?*

Mr. Warner: Said 'agreed to take the tanks at no charge from them to the town and at no cost for removal to the town and PCA will absorb all costs associated with liability, dismantling, cleaning-up, and hauling away of tanks.' That would seem to be a little premature from where we are. We want them to know that, yes, we're interested, we're available but this says that they have made an agreement and they haven't.

Mayor: Steve, would it be appropriate to leave this in there pending their acceptance of our offer? For the gift?

Mr. Garland: Sure, I think you can say --- 'the company has agreed to consider the tanks at no charge from them to the town and at no cost for removal to the town and PCA, if it takes the tanks will absorb the cost'. And then I suggest adding at the end of the NOW, THEREFORE that it say 'on terms satisfactory to the mayor and the manager' with the idea being that if it were to happen between meetings, as long as it met the terms of this – you know, no cost and everything else – that the mayor and the manager could sort of finalize an agreement because I would assume you would like to have an agreement, something in writing from them, signed by them, that makes sure that they meet these requirements.

Mayor: I feel like we should add

---

Mr. Garland: Yes. That's why I say 'on terms satisfactory to the mayor and manager' I would think there would be an indemnity – you'd require them to have insurance and that's where I think the WHEREAS takes care of the breadth of what you all are expecting, which is no cost and their assumption of liability, dismantling and cleaning up. Then 'on terms satisfactory to the mayor and manager' would allow ya'll to delegate to the mayor and manager the final details of that agreement.

Mr. Linville: Just for a little update, from what's happened in the last couple of weeks. The manager of this company sent us a P.O. for the sum of \$1.00 to basically hold the tanks, you know, that we won't give them away out from under him until they can inspect them. And he's arranging an inspection so hopefully they'll be here soon to look them over.

Mr. Warner: Did I understand you to say he's given honest (earnest?) money on both tanks or just on one?

Mr. Linville: He hasn't said he would take the 100,000 gallon tank but he does want to look at it. And while they're paying the demolition and shipping, if they can ever use it, it would be worth their time to have them both torn down. He hasn't said, but he hasn't said no either.

Mr. Garland: If I could, one last thing, in the first WHEREAS, I know it says ‘has no need for two water tanks’ and this might be redundant but I think the statutes call for declaring it to be surplus. So you might want to say, ‘has no need for two water tanks and declares them surplus’.

Mr. Warner: Now, that being declared as surplus, does that require any other legal offer for bid? ..... We said it was surplus and we said we will do this .....and we don’t have to put them out for bid.....

Mr. Garland: No. It just requires you to declare it surplus... .....We have to sell for the most amount of money that we can but I think it’s pretty clear from this that we can’t sell it for anything.

Mr. Warner: Because the efforts have been made.

**MOTION: TO APPROVE RESOLUTION #04-031 WITH CHANGES TO AUTHORIZE TOWN OF WALKERTOWN TO CONVEY ONE OR BOTH UNUSED WATER TANKS TO PACKAGING CORPORATION OF AMERICA AT NO CHARGE**

**BY: Horace Warner**  
**SECOND: Dot Duggins**  
**VOTE: Unanimous**

Changes: In the 1<sup>st</sup> WHEREAS, *and declares them surplus property after two water tanks.*  
In the 4<sup>th</sup> WHEREAS, *has agreed to consider taking the tanks. And then, further down, ‘and PCA if it takes the tanks, will absorb...’*  
In the last paragraph say at the end, *‘on terms satisfactory to the mayor and manager to include, but not limited to, the town being added as an additional insured for general liability and provide workers compensation for all workers.’*

14. **DISCUSSION --- FESTIVAL**

- Shall we proceed with arrangements for a festival next year?
- Festival Minutes for last meeting on September 2, 2004

**DISCUSSION:**

Mayor: We have one of our co-chairman of the festival, my sister-in-law, Beverly Davis. Would you come give us a synopsis?

Ms. Davis: As co-chairman of the Community Day in the Park, it was a success. The committee was well-pleased with the turn-out. I think Julia from the County Recreation Dept., she estimated 5,000 people. The vendors were pleased with it. Most all of them said they'd be back if we have it again next year. We were pleased with the turn-out, with the help, the support we got from the community. I think everybody enjoyed it. The ones that I talked to with feedback, really enjoyed it. I think we did well with our hot dog wagon. So I think, as co-chairman of the committee, we did talk about proposing to the town council to do it again next year, if you see fit to do it and the committee will serve again next year --- and anyone else that would like to join us and help us, we'd appreciate it. I don't have a final count, or I don't think Lynn has a final count of money. I think she's got a couple more bills to pay so I don't really know how we come out with the money end of it. I think everyone just enjoyed the fun and fellowship of seeing people, and I saw people that I hadn't seen in quite a while. I think it brought the community together and I'd love to see it repeated next year.

Mayor: We do have one pleasant surprise, don't we, concerning money?

Ms. Davis: What's that?

Mayor: It appears that the Day in the Park committee will be returning the full \$5,000 – they spent none of your money and they've actually got a little nest egg to start one next year. It appears.... We don't have a dollar count. It appears that they've managed to do it without spending any of the \$5,000.

Ms. Davis: The only thing we will ask for next year is a little bit cooler weather!! Or more tents!!

Mr. Warner: Let me just say publicly that after the town donated a \$1,000 to the Wolfpack Pop Warner football for a scoreboard it was learned that they would not even announce our festival information at their game. I was told this so I approached D. Thomas, who was here earlier and he left. He said that it was announced. Then he said that the announcer said he was approached by someone and asked and he said he didn't know anything about it. So it is a matter of who said, and who didn't say. I think we better leave this in here because I would be very disappointed if they didn't [ANNOUNCE THE FESTIVAL].

Then Thomas also explained to me that someone came to the football game asking where the park was – so, all I can do is take his word for it. I have no idea – I did not hear it.

Mayor: The Day in the Park was a great success in bringing the community together to have a day of fun and relaxation and just to enjoy one another's company and so whatever the council decides to do for another year, most of the committee members – it seemed like they were willing to serve again, as Beverly indicated – if you were wanting to do that again. That is up to the council.

Mr. Warner: Now, the most important comment – I am personally grateful to the committee and what they did. I think it will help unify this town. We certainly need it.

Ms. Welch: Amen.

Mayor: Any further discussion on the festival? Would you like to make a comment? Maybe you'd like to commit to it, or maybe you'd not. Maybe you'd like to wait til later.

Ms. Duggins: I'd say thank you and you did an excellent job, every single one of you. And I heard lots of comments from people. The heat was the only thing I heard people complaining about.

Ms. Welch: I heard one person say that we couldn't have made any money in the hot dog stand, just selling for a dollar and I said you'd be surprised. But we did!

Mr. Larrimore: Me and Mr. Martin sold a thousand a piece – I mean, you sold two thousand!!  
..... Well, if we got our \$5,000 back, then those vendors must have done pretty good ..... if they want to come back.

Mayor: That's what it appears --- that we're not going to spend any of it. Wouldn't you say that's safe, Ms. McKinnie?

Lynn: Well, we haven't gotten a bill from the stage and from the electric company for the pole putting in. I think the last amount we had was \$1224-something. So we might have a little bit left, I think. It just depends on how much those two things will cost us... and we also still owe the Parks and Rec something on the vendors, that we didn't know about.

Mayor: By next meeting, we should have all the bills paid. So if you would like to wait til next meeting, that's fine. I'm not trying to draw a motion out of you, but whatever you want to do. But then you'll have all the facts and I think it might be more appropriate to get the final word. Why don't we put that on to discuss that at the next meeting, Ms. McKinnie....

Lynn: I've already got it on there for next meeting. And I'd just like to say that I sent thank you notes to all the vendors from the town council and the staff and the rest of the committee. I got calls back from several of them saying this was the best festival they've been. One lady said she'd been to Stokesdale(?) the week before and ours was best by far.

15. DISCUSSION --- PART --TIME PLANNER POSITION

Continued from August 26<sup>th</sup> meeting

- Planning Job Classification
- Receptionist Job Classification

**DISCUSSION:**

Mr. Linville: We have advertised that position in the Kernersville News and through the Planning List Serve. Haven't got any response from that. We're waiting on an application from Suzy and she has ---- since she has fallen into her doctorate program, she's a little busier than she thought she was going to be. She's not in a huge rush but she's still interested and we got her an application and she'll get it back. And I told her to just put a time when she thought she could begin. When we get that back, we can discuss it further.

Ms. Duggins: So we need to place this on next month's meeting? Is there anything we need to cover on this?

Mr. Linville: Wait til we get an application. It may be next meeting; it might not.

Mayor: I went back and looked at my notes and she said even if she didn't take a job until September, October, or even as late as November or December, it wouldn't interfere with her total plan. So it's not like.....

Ms. Duggins: .....It's not a long time.....

Mayor: .....So we'll continue with this item until October.....

Mr. Warner: As we continue that, Mr. Linville, will you bring to the next meeting final cost factors, such as additional costs of replacing existing position, any unemployment compensation that would be paid, and all, so that we know what our cost factor is going to be? I believe it was said earlier that there would be money in the budget already for this. And I hope that would include the unemployment compensation. I know we do have in there, unemployment compensation, now but that's for what we've already been advised by the Commission that we will have to pay this year.

Mr. Linville: Right.

Mr. Warner: So what I want to say is this, are we going to spend more money and what are we going to get for it?

Mayor: We'll continue that to next month.

16. DISCUSSION --- RENOVATE WAREHOUSE FOR MEETING SPACE

Continued from August 26<sup>th</sup> meeting

- Maps of town-owned property will be at meeting for viewing

DISCUSSION:

Mayor: We have in our packet a list of maps of the properties, Dillon Street tank, Wickenham Park property, Fulp well property, maintenance facility property on Ayers Blvd., Shirley Street well property, Mecum lot property at Leight Street, Gant warehouse, Sullivantown Road, and the Friendly Road well property. I don't know if you have had time to study them or if you've got .....

Mr. Warner: I have questions on the Mecum lot, Gant warehouse and the Sullivantown Road. We have a shaded black area there.... First of all, I understand the Mecum property, then we have the Sullivantown, which, fortunately and credit the Leight family for that; but then we said there the Gant warehouse .36 acres. What is that lot that's fenced in back of the town hall and the parking lot? It was my understanding that we own that but we do not, according to this.

Mr. Linville: We do not own that property.

Mr. Warner: Is that part of the town hall to be given to us later or is it part to be bought?

Mayor: We don't own it but we do maintain it, don't we?

Mr. Linville: Yes. I think the fenced in area will be donated as part of the town hall but the vacant lot beside town hall, that's what we were going to purchase.

Mr. Warner: Can we get clarification on that to be sure that we have an option there and that option has been extended. They're still checking the water contamination. Has there been a report from that last pumping?

Mayor: They're still pumping.

Mr. Linville: They're pumping this week. The last report there's still some pre-product but it's much less than it has been in the past. It's getting a lot better.

Mayor: That shaded in area to the left of the two blocks coming off of Sullivantown Road, where it joins the Main Street property, the little shaded area, that's not the town's then, I'm assuming? Not that fenced in lot.

Mr. Linville: No. The fenced in lot borders on --- it's about ---- there's a -- looks like a very narrow lot that looks like an easement, along Depot Street? And the two or three lots, probably two lots below it, that's the fenced in area.

Mr. Warner: Refresh my memory. When is that donation to become final?

Ms. Duggins: Two years, I believe.

Mr. Warner: I thought it was 2005.

Mr. Linville: The offer to purchase that lot has been extended til June of next year (2005).

Mr. Warner: Then the donation of the office space is contingent upon a couple of agreements that were made by the last council; that is, to provide office space to the Gant company for an extended period of time. If I remember, there was no period of time set on that; it was only that they would pay appropriate interest ---- which means that we're somewhat caught in that, as far as what we do or don't do.

Ms. Duggins: Was that finalized?

Mr. Linville: Yes.

Ms. Duggins: But one council can't be held to another council's.....

Mr. Garland: Well, no! No! If you enter into an agreement, you've entered into the agreement as a town. One council can't pass a policy that will then be, then can be revoked by subsequent council, but, yeah, I mean, anytime you've entered into an agreement, then you've entered into an agreement. I believe we've finalized that agreement. Again, it's been long enough ago that unfortunately, I don't absolutely remember the terms of it. But I do recollect that we did come to final resolution on that, I thought. So, again, it's --- having entered into a contract, that's different than the one council binding another has to do with policies you enact, or ordinances, things that you can unilaterally change when you have somebody else rely on something you've done, you can't change -- without renegotiating!

Mr. Warner: I was going to say, that's the only way it could be changed is with renegotiation with them.

Mayor: Would it be appropriate if this council's given the current copy of the contract so we'll know where we stand? Maybe we could have that in our next month's packet?

Mr. Warner: Can we also include the option on the vacant lot?

Mayor: Yes. Yes. So we can determine..... I'm somewhat at a loss at what our contract states. Has the council had any time to study this to develop an overall plan? I feel like we really need to have a work session on the overall plan of our property and what we're going to do; the direction we're moving. But that would be entirely up to the council. I don't know if we've developed a plan at this time – I know we haven't. I haven't seen one put forth yet.

Ms. Duggins: I think we need to have a workshop; to talk about the wells, the property that the wells are on; what we're going to do with that. And we've had the report back from the water committee, what they think on the wells. But that would be the most sensible thing to do is to have a workshop and to talk about all this at that time.

Mr. Warner: Would that include Item #16, Ms. Duggins?

Mayor: Yes. That's what I'm talking about having all this together – the properties – that's the reason we've got all the properties listed here in this packet – all of our properties that is owned by the town. Workshop – guess we're going to have to develop a time when we can do that. I don't know when. You don't know when we can get a meeting space, do you?

Lynn: Where at? Here or town hall??

Mayor: Here?

Mr. Linville: If it's a small enough group, we can meet at town hall. Any time other than Monday, Tuesday, or Thursday.

Mayor: Let's work on a date what is suitable for both when the town hall will be free and the councilmembers will be free, and also the town staff, and we'll come up with a date to work on a workshop to work on the town property, including the wells – to make a decision on the wells.

Mr. Warner: Could we raise a question now as far as the wells and that's town property, would we do the same with that as we have the tanks? Declare them surplus? And then could offer them?

Mr. Garland: Well, let's see. That's real property. I'm sorry, are you talking about the mechanical.....?

Mr. Warner: .....The well house and the wells .....

Mr. Garland: The well property – you would have to deal with under another set of

guidelines. You don't need to declare real property surplus; you just need to meet the requirements of selling real property and those are a little bit more structured than your requirements on selling surplus property.

Mayor: Would you provide us with that before this workshop? Get it to Ms. McKinnie or Toby?

Mr. Garland: Sure. Will do.

Ms. Duggins: And there are still wells and things on that, and housing, that's on that property that we'll need to have some clarification on.

## 17. FINANCIAL STATEMENTS SUBMITTED BY TOWN CLERK FOR APPROVAL

- AUGUST - 2004

### DISCUSSION:

Mr. Larrimore: I'm just wondering why we didn't discuss the warehouse.

Ms. Duggins: Well, we're going to have a workshop for that.

Mr. Larrimore: Well, we didn't mention it! Has anybody got any problems with the financial report? Well, I wondered why somebody brought me the maps for the building.

Mr. Warner: I have a few questions but I think it would be better for me to come to the town hall and consult, check them out. One of them is we paid The Wooten Company \$9,360 – is that all we'll ever owe them. Or is this going to continue on forever?

Lynn: That's the final payment on the 'Administrative' costs.

Mr. Warner: Do we have a statement from them that that's the final cost or anything?

Lynn: Well, remember that we had \$16,000 that we owed them for administrative costs and somewhere along the line the ball got dropped. We paid them the first part but then we ended up owing them the \$9,360. I got \$13,000 from the state – and I paid Wooten the \$9360 and we kept the remainder.

Mr. Warner: Wasn't that \$16,000 the cost for that additional extension up there in the ATS area?

Mr. Linville/Lynn: Yes.

Mr. Warner: Now, I notice we have a consulting service on the Powell Bill – that’s for engineering.

Lynn: That’s the Powell Bill map that I have to get each year.

Mayor: Let me encourage the councilmembers that it would be best that if you do have questions.....

Mr. Warner: I’ve got a few more. It would be better to do it up there. At any rate, the public knows we’re looking after their money, I hope. There is one on here that I would like to ask in the open. And this is the CDBG grant funds of \$4,570 – that’s revenue. Is that some additional grant we have received or just the final payment of something.

Mr. Linville: No. That’s where we paid Wooten directly and we were reimbursed by the Rural Center.

**MOTION: TO APPROVE FINANCIAL STATEMENTS SUBMITTED BY TOWN CLERK FOR APPROVAL**

- **AUGUST - 2004**

**BY:** Wallace Larrimore

**SECOND:** Sarah Welch

**VOTE:** Unanimous

Mr. Warner: There is something else I’d like to mention. In account

# 10-700-0850, it says *Economic Development, Sewer* under the General Fund, \$5,400 – Page 10. I will get an answer to that when I come up to town hall, ok?

Lynn: That will be the easiest way. Then I can show you everything!

18. **LITTER SWEEP FOR 2004**

- Included: Governor Mike Easley’s Proclamation for Litter Sweep

**DISCUSSION:**

Mayor: Does anybody have anything to speak on this? Is that yours, Sarah?

Ms. Welch: No, it’s just in here.

Mr. Linville: This is the annual ---- this is the Governor's annual Litter Sweep Program.

Mayor: Okay. Does the council want to participate in this? I think the Lion's Club participates in this.

Mr. Warner: Didn't we participate in this to the extent to letting them furnish the supplies that we made available to organizations or to others rather than putting the maintenance force out there?

Lynn: Yes. We did

Mr. Warner: Maybe we want to continue on that basis and let these organizations know that we have supplies available for this clean-up.

Mayor: Does the council want to direct the town staff to notify the scouts and other organizations who would be interested in this that we will provide supplies and then have someone pick up, is that what your thinking is?

Mr. Warner: Do what we've done in the past. Just let them know that the supplies are available to them.

Lynn: We used to provide the gloves, the orange vests and the orange bags.

Ms. Duggins: This says it can all be picked up at your local D.O.T. maintenance yard.

**MOTION: TO ACCEPT THE PROPOSAL OF THE GOVERNOR AND THE ORANGE BAGS AND GO FROM THERE**

**BY: Sarah Welch**

**SECOND: Wallace Larrimore**

**VOTE: Unanimous**

## **19. OTHER BUSINESS**

### **A) REPLACEMENT OF PLANNING BOARD MEMBER**

Mayor: As most everyone knows, Mr. N.H. Vaughn, Jr., passed away on Labor Day and he was a member of the Planning Board and his term would not have expired until the end of this year, which would leave actually about three months remaining on his term. Ms. Duggins has brought it to our attention that we need to have a permanent replacement. We do have some alternate members.

Ms. Leight: I am reading from the ordinance that established the Walkertown Planning Board concerning memberships and vacancies. It says, '*Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.*' Sleepy's term of membership was for one year expiring December 31, 2004. The Planning Board recommends that the Town Council appoint Charles (Chuck) Trivette for this position for the remainder of Sleepy's term. He has served as an alternate on the Board and has been a voting member on a couple of the sessions this year. Come December 31<sup>st</sup> and the expiration of that term, a successor member will have to be appointed for a 3-year term because after this first appointment, all appointments are for three years after that, according to the ordinance. On this note, we need some more specifics on the ordinance that could come up at some point concerning who and how a vacancy on the Board gets filled. It's not defined specifically in the current ordinance. We would recommend some wording such as '*The Town Council should appoint a member after a recommendation from the Planning Board. A vacancy must be filled within 45 days of the vacancy.*' And I'm sure Steve could give us better wording than what I've come up with. There is no specification in the ordinance for alternates at all. They were appointed but there is nothing written in about them. We recommend formalizing that appointment of three alternates --- in the ordinance --- and we recommend also that the alternate positions be for at least a two-year term so that there could be a learning period prior to them possibly being appointed as an actual member of the board. Alternates should be expected to attend all Planning Board meetings and the Planning Board Chair may select alternates to fill vacant member positions for individual meetings and vote accordingly. Regarding our current situation, Keith Grubbs has resigned as an alternate. His work is taking him out of town even more so he has said he couldn't fill that position. And Howard Benfield is leaving the Walkertown area. If Chuck is moved to the open member position, that will leave all three alternate positions vacant. The Planning Board has recommended that the town open up the application process at this time, review all the old applications; maybe contact the individual to determine if they would like their names to be considered again for alternate positions. The Planning Board would like to review the applications with the Town Council and forward their recommendations to you for final vote. I personally like having five voting members on the Planning Board and I would not like to get caught short if we do not have those vacancies filled. Once these vacancies have been defined and filled, the application process should be continued annually. Maybe set up a certain time that the applications are open for people to come fill them in as there will be at least one position, more likely, two or more, every year that will be opening due to the rotation

of the position. Thanks.

Mayor: You indicated that this gentleman that you recommended has been an alternate. Has he attended the meetings? ..... How many, maybe .....that should be my best question?

Ms. Leight: He's attended some of the meetings and he has actually..... . Ummm, about half the time he attends. Though he has sat in and actually been a voting member, in the few times when he has filled in for when the members have been absent.

Ms. Arlyn Wilson: He is also available in that he works here in the community and we needed him one afternoon and he came right away.

Ms. Leight: I spoke with him this afternoon and he said he would be willing to take the position and would be able to fulfill through the remainder of this term.

Mayor: This recommendation comes from the entire committee, is that correct? ..... Was it a unanimous vote?

Ms. Leight: That's correct. .... Yes, it was. Of the four remaining members, it was unanimous.

Mr. Larrimore: He lives down in Martin Acres. He's a college graduate – accountant - and he's smart. And I know him.

Mr. Warner: Actually, it is not addressed specifically that a serving member would be eligible for re-appointment, or is that otherwise? There's nothing in here either way. Should we maybe keep that in the back of our mind – that may be a question we need to answer. According to this, they would not be prohibited from it because it doesn't say otherwise.

Mayor: It appears that there's quite a few issues that need to be addressed at an additional session concerning replacement members along the way; however, tonight we'll deal only with replacing someone to fill the unexpired term of N.H. Vaughn, Jr., which will be for approximately three months – til December 31<sup>st</sup>.

Ms. Duggins: I would recommend that we replace N.H. Vaughn, Jr., with Charles Trivette, to fill the unexpired term.

**MOTION: TO RECOMMEND THAT CHARLES TRIVETTE FILL THE UNEXPIRED PLANNING BOARD TERM OF N. H. VAUGHN, JR.,**

**UNTIL DECEMBER 31, 2004**

**BY: Dot Duggins**  
**SECOND: Horace Warner**  
**VOTE: Unanimous**

Mr. Warner: One other thing that I'd like to mention as we keep in mind, that they also will have the responsibility of finalizing the Comprehensive Land Use Plan and this comes after the recommendation of that committee that's now working. They submit theirs to the town Planning Board so there's a bit of work ahead. And the reason I mention that is that we want to keep that in mind as we make selections and your recommendations obviously would be based on that, too.

Ms. Duggins: I'd like to ask Peggy, too, to write out, when we meet and discuss this further, to write out those recommendations you were making so that each of us could have them.

Mr. Larrimore: Peggy, I'm an old man but I have really enjoyed listening to you and working with you. You are professional.

**B. HOUSING CONSORTIUM COMMITTEE UPDATE**

Ms. Duggins: The Housing Consortium Committee met on September 7<sup>th</sup> and two of our members were not there so it was an all-female committee, so we got a lot done! We decided that --- we listened to Doug Kale --- from Forsyth County Department of Housing. He went over lots of points with us -- we asked him lots of questions. Just what he wanted us to do, so he gave us a lot of guidelines of what he wanted us to do! We decided that we each would go out and look in the community, and not necessarily just in Walkertown, but the entire area and get at least five homes -- or as many as we wanted to get -- but, up to five, and then we'd come back together for a meeting. We'll possibly meet in the next month, probably in October, to go over these names. And of those names, we will probably pick five because of the money the Department of Housing -- we can't expect them to spend all their money in Walkertown, or in this area. They've got all of Forsyth County to cover. So, therefore, we will probably recommend five houses that probably are in the most need to ask him to investigate. We would recommend any input, any suggestions. If you have any house in your area that you would like us to consider, Doug will take care of investigating this. We will not be doing this --- we will not be asking them personal questions about their income and such as that, unless they ask us in particular what their income can be -- what they can qualify for; then we can answer that. But I wouldn't propose to tell them to tell me what their financial status is. That's up to Doug and his department -- and then he'll decide. They'll decide according to what they find. But if you have anybody, any house, that you

think, that you know of, that you would like us to put down, please call any of us. Call the town office and they'll let us know.

Mr. Warner: Let me just say we certainly appreciate the work you and your committee are doing because from previous reports, there's a good potential here and the previous council to our election really did a great job as far as accumulating a value of received. If we can only further that effort that they made along, we'd be very fortunate. And I thank you.

Mayor: I think this council's to be commended because according to the gentleman that I spoke with when we formed this committee, no other town had done this. Nobody's tried to do this, to help.

Ms. Duggins: We pay in \$2,000 a year – we get far more than that back in the area --- far more --- every year!

### **C. MIDDLEFORK SCHOOL DEDICATION CEREMONY**

Mayor: Before we leave 'Other Business', I'd like to mention another item. Today, Ms. Duggins were at the Middlefork School and they're having their Open House, or Dedication Ceremony, on October 21<sup>st</sup>. And she and I both thought there was going to be a conflict, didn't we? And, then here under our 'Announcements' it says *Town Meeting 10-28-04* and I look on the calendar and that is the fourth Thursday, so Ms. McKinnie, once again, is right and I was wrong!

Lynn: Yaaaaaaay!!

Mayor: So we don't have to change a thing. I would encourage the council – we need to – very important meeting. We're looking to get a high school in Walkertown. And all the School Board and everybody of influence will be at the Middlefork School on October 21<sup>st</sup>. So we need to show up. They'll be dedicating the new facilities; that's when they'll be doing that – on October 21<sup>st</sup> at 7:00 p.m.

Ms. Duggins: We do. We need to be there in full force! Dr. Martin will be there and there'll just be lots of people --- they need to see our interest. And anybody else in the community.

Mayor: I think it would be good if some of the elementary people would come – just encourage some of your cohorts!

Ms. Duggins: And, by the way, we had very good reception today. The kids were very attentive – listened very well. We were real excited at how they responded

to us.

Ms. Welch: I can say the same thing for yesterday. I really enjoyed talking with them and hearing their questions back to me.

Mr. Warner: Let me thank both of you because I know you were obligated to take more than you planned --- with my frail body, I didn't get there. But thank you both.

Mr. Larrimore: I had one little boy come up to me, asked me a question. The teacher was sitting back there, like "go, boy, go!" And he said, "Is there a law about wearing shorts to school?" I said, "Son, now here's what you got to remember. There's rules, and there's laws. Now your teacher can make a rule."

#### **D. RULES AND PROCEDURES** **NO CONSIDERATION**

Mr. Warner: I have a couple of things I'd like to mention. It's good that Wallace prefaced this by rules because earlier one of our members said something about rules. And, of course, Robert's Rules of Order being the basis of that --- actually, I violated a rule, and I was called to my attention by a council over there one day, one time. So I think it's kind of appropriate that we do review our rules and procedures and also to request that we reinstate that "No Consideration". I think that's a valid request and I think it does serve a useful purpose. I also violated that one time! Asked for 'No Consideration' -- but it passed, because no one else knew the difference until a former councilmember called to the attention that that had been rescinded back in January or February, 1995. But anyway, it served its purpose but I think it does have a particular purpose to do and I would like for us to consider that at some future meeting. First of all, let's review the rules as they now are because they went through quite a change in the late 1999 .....

Mayor: .....Are you talking about rules and procedures.....?

Mr. Warner: .....Rules and procedures, right. Let's review them to be sure they're updated and also let's reinstate, my favorite is, let's reinstate 'No Consideration'. That's only one vote for now so if we can put those forward, I'd appreciate it.

Ms. Duggins: Well, we probably ought to, every new council, every two years, we probably ought to review them anyway.

Mr. Warner: They should have their say, yes.....

Mayor: .....Rules and procedures.....

Mr. Warner: .....For example, now tonight, we had that situation here on the zoning, I could have used that 'No Consideration' if it had been available. But, on the other hand, I think all questions and concerns were taken care of. So why would we want to....? So, 'No Consideration' wouldn't have been valid – wouldn't have been appropriate at that point anyway. It was actually removed for a specific purpose and I don't think that purpose would be present today.

Mayor: All right. We can put that down at a future meeting or the next meeting, whenever the council wants to take it up again. If you so choose to do it at the next meeting, we will put it on the agenda if that's what you choose to do. Any other 'Other Business'?

### **E. TURN-LANE AT MICKEY'S**

Mr. Linville: Concerning the turning lane from Old Hollow Road on to Main Street.....

Mayor: .....Yes?! Yes?!.....

Mr. Linville: .....Heard from J.P. Couch the other day. They're still not done with their studies yet but they will be in the next couple of weeks and they wanted to meet with a few of us and give us their report and make their recommendations. I told him you and I would be interested and if any of the other councilmembers wanted to go, go down to their office so he can present those models, what it would do to the lights.

Mr. Warner: Did the schools or anyone join with us in trying to bring that to emphasis?

Mr. Linville: There's been a parent (I can't think of her name) that also sent a letter.

Mr. Warner: But this is a parent only and not a school, like the principal of the school, or the department.....?

Mr. Linville: .....No, no.

Mayor: Who you really need is the bus ---- Superintendent of Transportation --- to be involved! Because anyone that sits at this light in the morning, the busses have to turn on red – they don't have a choice.

Ms. Duggins: Why don't we contact him.....and ask him.....?

Mr. Warner: .....I was going to say.....suggest.....Have we made the proper contacts to be sure that they are aware that we need their support and I think it's a mutual interest of all of us.

Mayor: I think everybody in town would like to see something done.

## **F. SENIOR HOUSING PROJECT / FRANK VINSON**

Mr. Linville: Got an email from Frank Vinson, this is the HUD apartments – senior housing project on Poindexter. The short of it is all the applications are in. His application is still in the running and they won't know anything until January of this year. So he said no news is good news at this point.

Mayor: Wonder why? They normally make that call by the end of September, first of October.....

Mr. Linville: .....They must've extended the deadline. It doesn't say that here but I remember him saying that as well but the final decision will be January 7<sup>th</sup> – this year.

## **20. PUBLIC SESSION**

- PLEASE LIMIT COMMENTS TO 3-MINUTES OR LESS.

**PUBLIC SESSION WAS OPENED AT 9:23 P.M.**

- 1) E.A. Jumper  
5028 Klondike Rd.  
Walkertown

Thank you for answering my first question before I got to it – for the study for the left turn. Two more things: coming south on 66, at 311, the road is plenty wide. They put chevron markers there for a no-left turn – well, you can make a left turn. It's protected. There's a left turn going north on 66. While they're out here, could we get them to re-paint those things and put a left turn lane there? When I come up to turn, 311 coming to Walkertown, towards town hall, I make a left turn lane, because if you don't, you block the right lane. The road is plenty wide; why they painted it out, I have no idea. I'm sure they have some idea but I don't know what it is. But would you bring that up to them while they're out here looking. All they need is a little paint. Hey! I'll furnish the paint and I'll furnish the roller, if they want to repaint it! ..... Coming south from 66 at 311. The road's plenty wide. Instead of a left turn lane, they put chevron stripes there where oncoming traffic – they have a left turn lane, if you turn left if you're going towards Winston. They don't want anybody to turn left

to come to our town, to Walkertown – they want everybody to go on through it. So, you have to make a left turn. And I'm not sure it would be legal if got bumped there but I try not to block the traffic going through, which you have to do in order to make a left turn.

One more thing, if I understood you, Mayor, you said that no other – on the Housing Commission – no other town is doing this, or has done this? We have done this. We built a house on Snider; we re-built one on Leight Street back in '95 --- so Walkertown has been active in this in time past.

Mayor: Let me re-phrase that: no other town..... has had a committee to go out and find these. That was the intent of my comment. That's ... according to the chairman.... of the Forsyth County Housing Consortium..... That's ... what he said.....Others do it.....Oh, yeah....

Mr. Jumper: .....No, we didn't have a committee.....We just.....the council.....and the.....manager.....We did that.....

Mr. Linville: .....I'll answer that second question, too. That was about the first question ever answered was why isn't that turning lane? It's wide enough, it's not long enough. It doesn't go back deep enough. You know, they measure that on a tractor-trailer – on 53-foot plus a cab. And there's not enough road there to have a real turning lane but we all use it. He said: "Yeah, everyone in a passenger car will but I can't make it a turning lane because it's not long enough for a full-size commercial vehicle." So that was the answer I was given. I think his answer was just keep using it illegally like everyone else does.

2) Brenda Mabe  
5155 Sullivantown Rd.  
Walkertown NC

We did have a Housing Committee the first time. And we did go out and look at houses. And we did have five houses. We built one on Salem Road, Mr. Gaither Martin's house. We did Mrs. Fulp's house on Leight Street and two houses on Watkins Street. We had the schools and churches give us recommendations. We went out with Forsyth County. They made the final decisions. And you don't have to know any personal things, which, that's good for you because you live here and you do not want to know. And that's their kind of decision. When we came on board, we realized there was lots of money there and if we had not used that money, we was going to lose it so we got busy and it is a wonderful thing. I'm glad it's been continued. But the stop light, I tried for years to get a left turn light in front of Mickey's because I was so scared for buses having to make that turn. I had seen one man, one time, roll his window down, stick his hand out, stop the traffic on the side and turn to get in the street. Thank goodness, the tractor-trailer didn't move! I hope this can be looked into and taken care of.

One other thing I would like to recommend is that the Planning, I want to make sure that the town knows that this person's position is going to be used wisely, on a daily basis. I hate to pay good money, taxpayer's money, for a position that's not going to be used daily. I want to know if this person who takes this job is going to be doing planning things, or it's going to be a "go-fer" or receptionist? I hate to pay \$13.50 for

reception. I think we already have a reception. And I notice in here that you had a job description and if we already had this position filled, why do we have this job description? I have these questions and I hope that when the council has their work session, talking about their land use, I hope that you recommend the land on Sullivantown Road, that you keep that, as a buffer zone between our homes and business there. It does get very noisy. I hope that you look and use quality time and space for the warehouse that we built. I don't think it's being used to its potential. There's a lots of space there I think is being unused and it could be used possible for the town and I hope your work session goes well. Thank you.

## PUBLIC SESSION WAS CLOSED AT 9:29 P.M.

### 21. ANNOUNCEMENTS:

- Farmers Market at Love's United Methodist Church on Saturdays during summer from 7:30 a.m. until they sell out.
- Recycling in Walkertown continues every two weeks.  
October 4<sup>th</sup>    October 18<sup>th</sup>
- TOWN COUNCIL MEETINGS: (4<sup>TH</sup> THURSDAYS)  
7:00 p.m. at the Library Auditorium on:  
10-28-04  
11-18-04\* CHANGE DUE TO THANKSGIVING HOLIDAY  
12-23-04
- PLANNING BOARD MEETINGS: (3<sup>RD</sup> TUESDAYS)  
10-18-04            4:00 p.m.            Town Hall – Pre-Meeting Session  
10-19-04            3:00 p.m.            Library (Actual Meeting)
- LAND USE COMMITTEE: (1<sup>ST</sup> AND 3<sup>RD</sup> THURSDAYS)  
10-07-04            7:00 p.m.            Library  
10-21-04            7:00 p.m.            Library
- SCHOOL COMMITTEE:  
???  
(NOTHING SCHEDULED AT TIME OF AGENDA PREPARATION)

### 22. ADJOURNMENT

**MOTION:** TO ADJOURN MEETING AT 9:40 P.M.  
**BY:** Wallace Larrimore  
**SECOND:** Sarah Welch  
**VOTE:** Unanimous

**ATTEST:**

**TOWN OF WALKERTOWN:**

By: \_\_\_\_\_  
**Lynn McKinnie**  
**Town Clerk**

By: \_\_\_\_\_  
**Kenneth R. Davis**  
**Mayor**

**EXHIBIT A**

**CONDITIONS**  
**TOWN COUNCIL MINUTES OF 09-23-04**

Staff Conditions

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Development shall have storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  - b. Driveway permits shall be obtained from the NC Department of Transportation.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. On-site fire hydrant inspections shall be approved by the County Fire Department in writing to the Inspections Department
- PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  - a. All required fire hydrants shall be installed in accordance with the County Fire Department.
  - b. All interior street improvements shall be constructed to County Fire Department specifications.
  - c. All required storm water management devices shall be installed.
- OTHER REQUIREMENTS
  - a. As part of this TWO PHASE zoning, all outparcels shall require a Final Development Plan reviewed by the Walkertown Planning Board and approved by the Walkertown Town Council. Note: Any new development causing the combined development to generate 150 trips per peak hour or more shall submit a certified Traffic Impact Analysis in accordance with UDO requirements.
  - b. All signs shall be limited to monument type with a maximum height of six (6) feet.
  - c. A minimum five (5) foot wide sidewalk shall be installed on both sides of all internal streets.
  - d. All lighting higher than fifteen (15) feet shall be of the “shoebox” type which utilizes 180 degree sharp cut off shielding. No lighting shall be more than thirty (30) feet in height.

Additional Conditions

- Requirements as contained in the staff report (see above as revised by Council).
- Addition of the Berm as shown on the site plan.

- Sidewalks on both sides, whether public or private streets.
- Uniform street trees of a large variety for all street yards.
- Maximum of two signs per parcel, not to exceed six (6) feet in height of monument sign.
- Additional allowed maximum of four (4) project identification signs not to exceed fifteen (15) feet in height.

- Limited to the permitted uses as on the site plan which is included as an attachment.