



**SPECIAL & REGULAR MEETING OF  
THE VILLAGE OF CLEMMONS COUNCIL  
May 13, 2019**

The Village of Clemmons Council met on Monday, May 13, 2019, at 4 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Wait and Council Members Barson, Binkley, Combest, Lofland and Wrights. Staff members present were: Manager Buffkin, Finance Officer Stroud, Planner Ledbetter, Public Works Director/Village Engineer Gunnell, Marketing and Communications Director Ford, Clerk Shortt and Village Attorney David Kasper.

**Reconvening of Special Meeting**

Mayor Wait reconvened the special meeting at 4:00 p.m.

**Business – Special Meeting (continuation from May 6, 2019)**

*Fiscal Year 2019-2020 Budget Workshop* – Manager Buffkin and Finance Officer Stroud discussed the budget summary presented to Council at the continuation of last week’s special meeting. There were a few topics for discussion including: the addition of a Forsyth County deputy under the mini-cop program, the addition of a Public Works Equipment Operator position and a change to the stormwater fee. Brad Stanley, Special Assistant to the Sheriff, provided Council an update of the mini-cop program along with statistics and costs. He advised this program is a three-year commitment with Forsyth County absorbing 50% of the salary and benefits for the first three years. The funding for equipment is from DEA forfeiture money. The proposed start of adding a new deputy in Clemmons would be January 1, 2020. With this as a proposed start date, he provided the following estimated costs to the Village of Clemmons: Year 1 - \$15,862, Year 2 - \$33,145, Year 3 – \$34,500, Year 4 - \$47,500, Year 5 (July 1, 2023) \$95,000. After a brief discussion, Council Member Combest expressed to Council the amount of law enforcement we have keeps up with our growth and this is essential (almost non-negotiable).

Council consensus was to direct Staff to add the mini-cop program deputy into the budget for consideration.

A brief discussion was held regarding the addition of a Public Works Equipment Operator which was a Staff recommendation.

Council consensus was to direct Staff to add a Public Works Equipment Operator position into the budget for consideration.

A discussion was held regarding increasing the stormwater fee charged in Clemmons (currently \$5/month).

Council consensus was to direct Staff to provide via email (within the next week) four projections with a \$.125 increase up to \$.50 for review and to be considered prior to adopting the budget.

Council Member Lofland requested a discussion of increasing Council Member compensation due to the amount of time invested. Council Member Barson was in agreement with the discussion. Council Member Combest was adamantly opposed to raising any Council compensation and Council Member Wrights echoed those sentiments. There was no action or further discussion on this topic.

Council Member Combest moved to adjourn the special meeting at 5:23 p.m. The motion was seconded by Council Member Wrights and unanimously approved.

### **Call to Order**

Mayor Wait called the regular meeting to order at 6:00 p.m.

### **Pledge of Allegiance (Regular Meeting)**

Mayor Wait led the Pledge of Allegiance.

### **Public Comments**

There were approximately ten citizens in attendance. There were no individuals signed in to speak.

### **Approval of the Minutes**

Council Member Combest moved to approve the minutes of the April 22, 2019 regular meeting as presented. The motion was seconded by Council Member Wrights and unanimously approved.

### **Approval of the Agenda**

Council Member Barson requested the addition of Item 3. under Manager's Report "Discussion of De-annexation Bills"

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

### **Announcements**

- A. Mayor Wait announced The Village of Clemmons offices will be closed on Monday, May 27, 2019 in observance of Memorial Day (Trash pickup will be delayed 1 day).
- B. Mayor Wait announced the next Village Council regular meeting will be held on Tuesday, May 28, 2019 at 6:00 p.m.

### **Business – Information/Review Items for Future Action**

- A. *Marketing and Communications Director's Report.*
  - 1. *Events Update* – Marketing and Communications Director Ford provided an update on the following events:
    - Ice Cream Festival – Saturday, May 18, 2019
    - Movie Night "Smallfoot" at Jerry Long YMCA – Friday, May 31, 2019
- B. *Manager's Report.*

1. *Stormwater CIP List* – list was presented (attached hereto as Exhibit A and incorporated into the minutes).

Council Member Combest moved to approve the Stormwater CIP List for fiscal year 2019-2020 as presented. The motion was seconded by Council Member Binkley and unanimously approved.

2. *Street Modification Update* – Manager Buffkin provided an update to Council stating that the policy is in a good draft state and the contract with Kimley-Horn has been executed for their review. The rough draft should be received back by the end of next week for Council’s review at their meeting at the end of May or beginning of June.
3. *Discussion of De-annexation Bills* – Manager Buffkin advised that he had received notification that the hearing for House Bill 392 has been scheduled for Wednesday, May 15, 2019 at 8:30 a.m. He requested Council to direct Staff to send a copy of our local Resolution to all members of that committee. The Senate Bill has not been calendared at this time.

Council consensus was to direct Staff to send a copy of Resolution 2019-R-1 to House Finance Committee members on Tuesday, May 14, 2019.

Council Member Barson read the following statement: “The implications of House Bill 392 / Senate Bill 205 go far beyond Stan Forester, the developer, not wanting to serve the “two masters” as he has shared with us and our state representatives many times.

This bill, sponsored in part by the following members of our state legislature, Deborah Conrad, Lee Zachary, Donny Lambeth and Joyce Krawiec tells ANY developer that if your plan doesn’t comply with local regulations, zoning requirements or future land use plans that you can go to the general assembly and request de-annexation to a less stringent, neighboring jurisdiction.

Councilman Combest said, and I paraphrase, that one of the most important things a local governing body can do is determine and enforce land use. I’ll go further by saying that, that includes creating and enforcing a set of Unified Development Ordinances that reflect what the members of the community expect and deserve. UDO’s aren’t simply about aesthetics they’re about quality of life and standards put in place to protect all of us. Standards such as stormwater requirements to manage both the quality of our drinking water and quantity of runoff into our lakes, rivers, and homes. They also make sure we have the transportation infrastructure necessary to support the amount of traffic throughout our community so that our students are safe on their way to and from school; so that we have proper access in a timely manner to our places of employment, homes and the businesses we shop in Clemmons.

The petitioner will tell you that only a small percentage of the property he wishes to develop is in Clemmons, but 50 percent of his linear frontage is in Clemmons and on Lewisville-Clemmons Road, which is our busiest road with approximately 32,000 vehicular trips per day – a dream come true for any business.

This developer asks for this de-annexation during a time when developers are volunteering bringing their undeveloped land into Clemmons to develop under our requirements and using the Clemmons name as the value add that it is for their property and future marketability.

Clemmons has felt the pain of uncontrolled growth on our borders for too long. Our taxpayers pay the price when others capitalize of our good name, but are unwilling to build to our standards or contribute to our tax base.

The County Commissioners have been said to support this de-annexation though no record of this has been provided to the Village. If this is true, I ask our county commissioners to repeal that previous support and to share my vision that this bill goes far beyond Forsyth County and the Village of Clemmons into dangerous territory where our state legislature now determines how the land is used within municipalities.

Our municipal elected officials continue to be stripped of what little authority and influence they once had. This continued centralization of power by our current state legislature doesn't feel like democracy where we are governed by the people – it feels like a continued power grab and gross mistrust of those closest to the ones they serve.

This elected body is a nonpartisan body. We are your neighbors. We all live within the same 12 square miles. Throughout our history we have put out surveys, created citizen committees and continually reach out for feedback, input and help so this, and previous Councils, could serve you to the best of their ability.

This bill will be heard by the house finance committee on Wednesday morning. I would like to recommend to Council the following next steps:

- I want to ask this Council to request of our Mayor to modify the existing resolution to broaden its' scope and take into account the full implications of this bill and seek the support of our fellow Forsyth County Mayors.
- I want to ask this Council to direct our staff to seek ways to make it more attractive for Mr. Forester to annex into Clemmons pre-development. Specifically, as fostering growth through quality, well-

planned development in the North West quadrant of Clemmons was one of our outcomes of the recent 2019 Council retreat.

- And, it would be great if a member of our Council could go to Raleigh on Wednesday. I would like to nominate Mike Combest, as well as ask our Mayor to attend.”

Council consensus was to direct Staff to send a copy of Resolution 2019-R-1 to the Forsyth County Commissioners on Tuesday, May 14, 2019.

Council Member Barson moved to nominate Council Member Combest to be the voice for the Village of Clemmons Council at the legislature meeting in Raleigh on Wednesday, May 15, 2019 at 8:30 a.m. The motion was seconded by Council Member Lofland and unanimously approved.

Council consensus was to direct Staff to seek ways to make it more attractive for Mr. Forester annexation attractive to consider annexing into Clemmons pre-development.

Council Member Combest made a formal motion to direct Staff to seek ways to make it more attractive for Mr. Forester to consider annexing into Clemmons pre-development. The motion was seconded by Council Member Barson and unanimously approved.

C. Attorney's Report – nothing to report.

D. Planner's Report – Planner Ledbetter presented an update on all of the following items (attached hereto as Exhibit B and incorporated into the minutes). Any Council action taken is noted below.

1. NCGA Funding Request – Council was briefed on an opportunity to apply for funding from the Department of Commerce (see exhibit).

Council Member Barson moved to direct Staff to apply for the Department of Commerce funding. The motion was seconded by Council Member Lofland and unanimously approved.

2. Business District Improvement Grant Program – Planner Ledbetter and Council Member Barson briefed Council on a Business District Improvement Grant Program (see exhibit). This concept is a direct objective from the Overlay Committee. A fully-structured program along with an application will be presented for consideration at a future Council meeting.
3. Publix Wayfinding Signage – Council was briefed on a request from Peacehaven Village Shopping Center, The Morgan Group, and more specifically Publix for Wayfinding Signage (see exhibit). They are interested in a directional sign at Allegacy Way (heading north on Lewisville-Clemmons Road) into their center as well as at Jessie Lane and Towncenter Drive. They are interested in funding their own wayfinding signage and would be willing to live under the Village's guidelines. They

would pay for it, the Village would install it, and they would maintain it. Planner Ledbetter stated she was requested to bring this to Council’s attention for possible consideration.

4. *Smart Sheets Update* – An update was provided to Council regarding populated modules that are in the process of being created for various projects and ease of review.
5. *Transportation Plan Update* – An update was provided to Council advising them that formalized strategic recommendations are being prepared to present to Council and that should take place in the September timeframe.
6. *Winston-Salem UDO Progress* – A Clear Code UDO update was provided to Council advising that Winston-Salem is simplifying their UDO to ten chapters. They are currently on the first rough-draft review. They hope to have it available by December 2019.
7. *Farmers Market* – An update was provided that Farmers Market has begun and is on Tuesdays from 3:30 p.m. – 6:30 p.m.
8. *Kinnamon Bridge Feasibility Study* – An update was provided. The MPO is taking an agreement to the Winston-Salem City Council in May for the feasibility study for the bridge. Once the City Council has approved it, it will come to Village Council for consideration and approval so an RFQ can be sent out and a consultant chosen to work on the project that we received through MPO grant funds.
9. *Valve Building Bids – Market Center Drive Phase IA* - The following quotes were received and the one from CKJ Building and Design LLC was recommended.

Company	Quote
<b>CKJ Building and Design LLC</b>	<b>\$44,350.00</b>
Garanco, Inc.	\$48,700.00
S&F Castle Properties, Inc.	\$49,500.00

Council Member Wrights moved to accept the bid from CKJ Building and Design LLC for Valve Building – Market Center Drive Phase IA in the amount of \$44,350.00. The motion was seconded by Council Member Lofland and unanimously approved.

**Business – Action Items**

E. Public Hearings.

1. *Comprehensive Plan Update (continuation)* – Planner Ledbetter presented the requested modifications to the Comprehensive Plan Update (attached hereto as Exhibit C and incorporated into the minutes).

Council Member Barson moved to approve the Comprehensive Plan Update as presented with Staff's recommendation for the land-use plan (not the modification submitted from Stan Forester). The motion was seconded by Council Member Wrights and unanimously approved.

2. *Zoning Map Amendment of AAA Storage from LO-S (professional office) to GB-S (General Business-Special Use) (Storage Services, Retail) located at 2225 Lewisville-Clemmons Road, Clemmons, NC – Zoning Docket C-230* - Planner Ledbetter explained the zoning request and reviewed the site plan and staff report. The petitioner is requesting to rezone from LO-S (professional office) to GB-S (General Business-Special Use) (Storage Services, Retail) located at 2225 Lewisville-Clemmons Road, Clemmons, NC; described as follows: Being all that tract of land containing 2.670 acres, more or less, located in the Village of Clemmons, Forsyth county North Carolina; and being all the land described in the deed recorded in Book 3266 Page 1842, save and except the portion described to the North Carolina Division of Transportation in Book 2645 Pg. 3939; being more particularly described as follows. Commencing at a concrete right of way monument in the eastern right of way of Lewisville Clemmons Road, thence along the eastern margin of Lewisville Clemmons Road, S 02°54'16" E a distance of 182.70', to a new 1" iron pipe the northwest corner of herein described property, the True Point of Beginning; thence leaving said margin of Lewisville Clemmons Road along the southern line of lots 1-6, P.B. 22 Pg. 108, the following 5 calls: S 85°10'19" E a distance of 73.63', to a ½" iron pipe; S 85°13'52" E a distance of 92.84', to a ½" iron pipe; S 85°04'13" E a distance of 105.11, to a ½" iron pipe; S 85°13'27" E a distance of 209.89', to a ½" iron pipe; S 85°04'40" E a distance of 60.89', to iron pipe set, in the western line of Allens Cove Properties LLC, D.B. 3224 PG. 1151; thence along said line, S 04°27'29" W a distance of 268.06', to a #5 rebar in the northern line of Clemmons Fire Department Inc., D.B. 1691 PG. 1771; thence along said line, N 82°02'46" W a distance of 113.89', to a 1" iron pipe, in the northern line of Clemmons Village Prof Ctr Inc., D.B. 1948 PG. 3330; thence N 03°21'14" E a distance of 51.68', to a new 1" iron pipe the northeast corner of Clemmons Village Prof Ctr Inc, D.B. 1948 PG. 3330; thence along the northern line of Clemmons Village Prof Ctr Inc, D.B. 1948 PG. 3330, N 84°23'00" W a distance of 401.29', to a new iron pipe in the eastern margin of Lewisville-Clemmons Road; thence along said road, N 02°54'15" W a distance of 206.53'; which is the point of beginning, having an area of 116291.14 square feet, 2.670 acres. It does meet LEGACY and UDO requirements. Staff recommends denial due to the land use not being in compliance with the Clemmons Community Compass. She stated that Planning Board recommended zoning approval 4-3 and site plan approval 5-2.

Mayor Wait opened the public hearing. There were three Proponents signed up to speak:

- Tim Shaw – available for questions.
- Chad Hockaday, 7622 Bentley Road, Greensboro, NC – explained they are a local company and before presenting the rezoning request, they held a meeting inviting 30 neighbors of the site. He presented Council a copy of the site plan and advised he was available for any questions.
- Sean Jones, 7622 Bentley Road, Greensboro, NC – spoke about the tower that Planning Board had requested being reduced. After speaking with their architect, there is not enough distance to be able to reduce it (if they would have been able to, they were willing to do it).

There was one Opponent signed up to speak:

-Jonathan Lee, 2235-C Lewisville-Clemmons Road, Clemmons, NC – stated he is a property owner at the center located next to this site. He had been asked to speak on behalf of the center (there are 23 units with approximately 20 different owners). He advised of their opposition to the plan as it is against the long-term plan for the Village of Clemmons and does not feel it is the best use for that property.

Stan Forester requested the opportunity to speak in opposition to the Zoning Map Amendment for AAA Storage as he arrived late to the meeting after the sign-in sheets were taken up.

Council consensus was to allow Mr. Forester the opportunity to speak.

-Stan Forester stated his company manages the Clemmons Professional Center and asked him to speak on their behalf. He stated he does not see this helping their property values at all (which should be the number one consideration). He stated Staff has recommended denial as it does not meet the Comprehensive Plan. He added that it is next to residential and he is surprised that this use was put at that particular intersection and right on Lewisville-Clemmons Road. He expressed his thoughts to Council that he is not sure this would be what they would really want to see at that location and the ideal situation would be the extension of that office park which is what it was designed and approved for (it just has not been built because the demand has not been there). He advised if it is zoned General Business and they did not decide to build, it would still be General Business. He thanked Council for the opportunity to speak since he arrived late and was unable to sign up.

There being no one else wishing to speak, Mayor Wait closed the public hearing.

Council Member Lofland stated she would like to see this at another location not on Lewisville-Clemmons Road. Council Member Wrights added the land-use plan makes it clear that this use is not the intent. Council Member Combest stated this is a desirable enterprise at the wrong location.

Council Member Combest moved to continue the Public Hearing to the next regular Council meeting on Tuesday, May 28, 2019 for Zoning Map Amendment of AAA Storage from LO-S (professional office) to GB-S (General Business-Special Use) (Storage Services, Retail) –



Zoning Docket C-230. The motion was seconded by Council Member Barson and unanimously approved.

3. *Zoning Text Amendment to the Unified Development Ordinance to Electronic Sweepstakes definition and amortization schedule (C-UDO-81).*

Council Member Lofland moved to adopt the statement of conformity for Zoning Text Amendment to the Unified Development Ordinance to Electronic Sweepstakes definition and amortization schedule (C-UDO-81) (attached hereto as Exhibit D and incorporated into the minutes). The motion was seconded by Council Member Combest and unanimously approved.

- F. *Request to the MPO for reallocation of two STP-GA funds to the Highway 158 Project.* Planner Ledbetter briefly updated Council on the informational item presented at their last meeting to be considered at this meeting (attached hereto as Exhibit E and incorporated into the minutes).

Council Member Barson moved to direct Staff to request the reallocation of two STP-GA funds to the Highway 158 Project. The motion was seconded by Council Member Combest and unanimously approved.

- G. *Council Comments* – Council Member Combest suggested a big thank you was owed to the Planning Board for their work on the Comprehensive Plan Update.

Council consensus was to direct Staff to invite the Planning Board members to the next regular Council meeting on Tuesday, May 28, 2019 to be thanked publicly and presented a letter of appreciation from Mayor Wait on behalf of Council.

### **Adjournment**

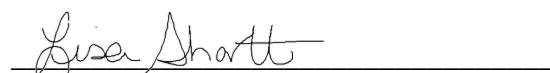
Council Member Wrights moved to adjourn the meeting at 7:52 p.m. The motion was seconded by Council Member Barson and unanimously approved.



---

John Wait  
Mayor

ATTEST:



---

Lisa Shortt, NCCMC  
Village Clerk



**Fiscal Year 2019-2020**  
**Village of Clemmons Stormwater Management Program**  
**Stormwater Capital Improvement Program - Project Rankings**

Revised: 4/12/19

Ranking	Project #:	Project Name	Dependency <sup>1</sup>	CIP Rating	Cost Estimate
1	09-012	Spring Path		41.35	\$175,000
2	19-043	Breckingridge		40.37	\$70,000
3	09-004	Greenbrook	Mendelssohn, Tanglebrook	38.11	\$199,491
4	09-003	Doublegate	Mendelssohn, Greenbrook, Tanglebrook	37.69	\$231,752
5	09-015	Tanglebrook		37.33	\$437,699
6	09-005	Mendelssohn	Tanglebrook	37.17	\$225,475
7	15-037	Glengarriff		36.99	\$67,000
8	11-036	Parkdale		36.71	\$256,268
9	09-006	Haywood		29.68	\$124,620
10	09-002	Knob Hill		28.07	\$271,285
11	10-024	Springvalley	Harper Valley	26.99	\$150,107
12	09-001	Boyer	Knob Hill	25.83	\$327,375
13	09-018	Tanglebrook #2		20.19	\$254,027
P-1*	19-039	Moravian Heights		TBD	TBD
P-2*	19-040	Rolling Oak Court		TBD	TBD
P-3*	19-041	Springfield Farm		TBD	TBD
P-4*	19-042	Lasater		TBD	TBD
NCDOT-1***	09-016	Greendale	Kinnamon	35.72	\$496,268
NCDOT-2***	09-011	Springside	Kinnamon, Greendale	29.90	\$367,948
NCDOT-3***	09-010	Brookland	Kinnamon, Greendale, Springside	29.29	\$303,117

<sup>1</sup> Dependency - This indicates that a downstream project must be performed prior to the rated project. In some cases, verification that the downstream project will not be negatively impacted by the upstream project may remove this dependency.

\* Pending ranking until further analysis is provided by a consultant.

\*\* These projects are dependent upon a downstream NCDOT drainage pipe.