

NOT APPROVED



**Agenda Packet - DRAFT
Village of Clemmons Council
Regular Meeting**

August 28, 2023

**AGENDA
REGULAR MEETING OF THE
VILLAGE OF CLEMMONS COUNCIL
AUGUST 28, 2023 at 6:00 p.m.**

- I. Call to Order & Pledge of Allegiance – Mayor Rogers
- II. Public Comments
- III. Minutes - Approval of Minutes – August 14, 2023 Regular Meeting
- IV. Changes and/or Approval of the Agenda
- V. Announcements
 - A. Village of Clemmons will be closed for Labor Day on Monday, September 4, 2023 (Trash pickup will be delayed 1 day – Pickups will be Tuesday – Saturday)
 - B. Village of Clemmons Council Special Meeting (Follow-up Retreat) will be held Monday, September 11, 2023 at 4:00pm at Village Hall
- VI. **Business – Action Items**
 - A. Culvert Replacement Bids
 - 1. Doublegate Drive
 - 2. Lismore Street
 - B. Statement of Work (SOW) Approvals
 - 1. SOW#4 Bridle Path Culvert
 - 2. SOW#5 North Lakeshore Culvert

Business – Information/Review Items for Future Action

- C. Marketing & Communications Director’s Report / Events Update
 - [Clemmons Farmers Market](#) is open seasonally on Saturdays from 8:30AM to 11:30AM at the Jerry Long Family YMCA located at 1150 S Peace Haven Road. The first Saturday of each month is Artisan Day at the Market. The Jerry Long Family YMCA is a tobacco, dog, and alcohol-free campus. NO PETS, PLEASE
 - The 2023 Fall Bulk item pickup will begin on Monday, September 18, 2023, for residents on the west side of Lewisville-Clemmons Road. Bulk item pickup for residents on the east side of Lewisville-Clemmons Road will begin the week of Monday, September 25, 2023.
 - Register for the 5th Annual Dirty Dozen 5K Obstacle Mud Run for adults and youth (ages 7+) of all fitness levels or the 1 Mile Fun Run on Saturday, September 16, 2023. Bring the entire family to the Parking Lot Party from 8am – Noon with so much entertainment including a gaming truck, touch-a-truck, DJ, food trucks, and more!
 - The Annual Fall Medicine Drop will be held on Saturday, October 14 from 9:30AM – 12:30PM at Clemmons Public Works. Residents can dispose of expired, unwanted, or unused prescription drugs and over-the-counter medications. Only pills will be accepted. Liquids, needles, and inhalants will not be accepted. This is for households ONLY
 - The Village of Clemmons would like to invite your business or organization to be a part of the 2023 Monster Dash and Goblin Hop on Sunday, October 22nd. (Rain Date: October 29th) Host a table around the greenway while kids dressed in Halloween Costumes walk the greenway to trick or treat and complete the Goblin Hop! All details can be found at Clemmons.org/monster or email events@clemmons.org

Details are available on the Village website and Facebook page regarding all our events.

D. Council Comments

E. Closed Session for Attorney-Client Privilege Discussion in Accordance with NCGS 143-318.11(a)(3)

VII. Adjournment

Join Zoom Meeting

<https://us02web.zoom.us/j/86334197223?pwd=MVN4Yzg5VjgxS0lTMEJUUzM5ZWROZz09>

Meeting ID: 863 3419 7223 Passcode: 615644



DRAFT

REGULAR MEETING OF THE VILLAGE OF CLEMMONS COUNCIL August 14, 2023

The Village of Clemmons Council met on Monday, August 14, 2023, at 6 p.m. The meeting was held at the Village Hall, Clemmons, North Carolina. The following members were present: Mayor Rogers, Council Members Barson, Cameron, Combest, Taylor and Wrights. Attorney Al Benschoff was also present.

Call to Order & Pledge of Allegiance

Mayor Rogers called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Public Comments

There were five citizens in attendance. There were no individuals that spoke during public comments.

Approval of the Minutes

Council Member Cameron moved to approve the minutes of the July 24, 2023 regular meeting as presented. The motion was seconded by Council Member Taylor and unanimously approved.

Additions and/or Approval of the Agenda

Manager Gunnell requested the addition of Item 4. under Manager's Report "Knob Hill Culvert Replacement".

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

Announcements

Mayor Rogers recognized the service of Citizen Board members whose terms are completed: Planning Board - Tressa Krenzer (in attendance), Rob Cockrum and Carolyn Miller (not in attendance - certificates mailed); Triad Municipal ABC Board – Keith Green (not in attendance, certificate mailed). Each received a certificate of appreciation and a numbered Hattie Butner print.

Mayor Rogers recognized Finance Officer Ann Stroud, presenting her with the Comprehensive Annual Financial Report Award and commended her on her outstanding work (attached hereto as Exhibit A and incorporated as a part of the minutes).

Business – Action Items

- A. Public Hearing - Zoning Map Amendment of real property owned by Highland Azure, LLC from HB-S (Highway Business – Special) to GB-S (General Business – Special) addressed 4725 Commercial Park Court and described by the Forsyth County Tax Offices as PIN 5893-25-8411 containing a total of 1.76± acres (Zoning Docket C-254) - Planning & Community Development Director Moore provided Council with an overview of the rezoning request (attached hereto as Exhibit B and incorporated as a part of the minutes). Staff and Planning Board

recommend approval with conditions listed being met.

Mayor Rogers opened the Public Hearing.

There was one Proponent signed up to speak:

-Rick Chappell, 6209 Ramada Drive, Clemmons, NC – available for questions. Attorney Benshoff clarified with Mr. Chappell that he agreed to the uses and conditions listed.

There were no Opponents signed up to speak.

There being no one else wishing to speak, Mayor Rogers closed the Public Hearing.

Council Member Cameron made a motion to approve the Zoning Map Amendment of real property owned by Highland Azure, LLC from HB-S (Highway Business – Special) to GB-S (General Business – Special) addressed 4725 Commercial Park Court and described by the Forsyth County Tax Offices as PIN 5893-25-8411 containing a total of 1.76± acres (**Zoning Docket C-254**) by adopting the consistency and reasonableness statement as presented and approve Ordinance 2023-06 with the conditions included on the Staff Report (attached hereto as Exhibit C and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.

Business – Information/Review Items for Future Action

B. Marketing & Communications Director's Report / Events Update

- [Clemmons Farmers Market](#) is open seasonally on Saturdays from 8:30AM to 11:30AM at the Jerry Long Family YMCA located at 1150 S Peace Haven Road. The first Saturday of each month is Artisan Day at the Market. The Jerry Long Family YMCA is a tobacco, dog, and alcohol-free campus. NO PETS, PLEASE
- Start registering for [Dirty Dozen 5K and Fun Run Obstacle Mud Run and Oktoberfest Parking Lot Party](#) which will be held on Saturday, September 16
- The Village of Clemmons would like to invite your business or organization to be a part of the 2023 Monster Dash and Goblin Hop on Sunday, October 22nd. (Rain Date: October 29th) Host a table around the greenway while kids dressed in Halloween Costumes walk the greenway to trick or treat and complete the Goblin Hop! All details can be found at Clemmons.org/monster or email events@clemmons.org
- Special thanks to Lynette Fox and Public Works staff for a great movie night

Details are available on the Village website and Facebook page regarding all our events.

C. Manager's Report.

1. *Doublegate Bid Update* – Manager Gunnell updated Council that the bid opening was held with only two bids being received. The project is currently out for re-bid.
2. *Resolution 2023-R-14 Declaring and Authorizing the Sale of Village-Owned Surplus Personal Property* – Director of Public Works Gearren

advised Council of surplus personal property that is ready to be disposed of and requested their authorization.

Council Member Barson made a motion to adopt Resolution 2023-R-14 Declaring and Authorizing the Sale of Village-Owned Surplus Personal Property as presented (attached hereto as Exhibit D and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

3. *Pedestrian Plan Survey Update* – Planning & Community Development Director Moore updated Council on the Pedestrian Plan Survey (attached hereto as Exhibit E and incorporated as a part of the minutes).
4. *Knob Hill Culvert Replacement* – Manager Gunnell advised Council that three bids had been received and Staff's recommendation was to award the project to the second lowest bidder due to scheduling conflicts with the low bidder. The goal is to complete this project before school starts as Knob Hill will need to be closed a few days (August 21-23) and notification will be made via electronic signs, social media and email blasts.

Council Member Cameron made a motion to approve the bid from RCJ Contracting, Inc. for the Knob Hill Culvert Replacement project as presented (attached hereto as Exhibit E and incorporated as a part of the minutes). The motion was seconded by Council Member Taylor and unanimously approved.

D. *Council Comments* – there were none.

Adjournment

Council Member Barson moved to adjourn the meeting at 6:34 p.m. The motion was seconded by Council Member Taylor and unanimously approved.

Michael Rogers
Mayor

ATTEST:

Lisa Shortt, NCCMC
Village Clerk

Lismore Street Culvert Replacement

Date: August 28, 2023

Contractor	Price
North State Water and Sewer	\$262,000
Fleming Land Management	\$89,085
Southeast Select Civil Const	\$135,810
RCJ Contracting	\$194,535

Recommendation to Award to Fleming Land Mangement

20% Contingency	\$17,817
Total	\$106,902



ATTACHMENT A

STATEMENT OF WORK #4

This Statement of Work is incorporated and governed by the On-Call Master Services Agreement #CMA 2023-003, dated January 30, 2023 between The Village of Clemmons, North Carolina and LJB Engineering PC (“LJB”).

PROJECT BACKGROUND

LJB is pleased to offer our professional engineering services to develop construction plans for Bridle Path Culvert Improvements. Preliminary hydrologic and hydraulic analyses and recommended improvements were developed by LJB in 2021. This project was submitted for Golden LEAF funding in 2023 and funding has been awarded.

SOW #4 includes the following tasks for completion of the culvert design, permitting, and preparation of construction plans:

PROPOSED SCOPE OF SERVICES

LJB will provide the following engineering services for Bridle Path Culvert Replacement:

1. Provide a scope for survey to a surveyor contracted by the Village for survey services.
2. Develop 60% design plans for review and comment by Village staff. The plans will include a plan/profile for the culvert crossing and the proposed grading and improvement plans for upstream and downstream transition and energy dissipation areas. No traffic control or erosion control plans will be included in the 60% design.
3. Submit a Pre-Construction Notification to the Corps and NCDEQ for approval, if required, based on the 60% plans, modified to address input from Village staff.
4. Develop 90% design plans, including erosion control and all details required for the construction of the culvert replacement. Submit plans to Village staff for review and comment.
5. Submit water/sewer utility plans to the City of Winston Salem, if required to obtain approval for any utility conflict resolution required.
6. Submit erosion and sediment control plan to NC DEQ regional office for securing an Erosion Control Permit, if required.
7. Develop technical specifications and an engineer’s opinion of probable cost.
8. Finalize construction plans per review comments from regulatory agencies and Village staff.
9. Assist the Village as requested in preparation of bid documents and bid tabulations. Attend a pre-bid meeting and pre-construction meeting. (Construction Observation and Administration services are not included in this scope.)

PROJECT ASSUMPTIONS/LIMITATIONS

1. All permit fees associated with any applications will be paid by the Village of Clemmons or reimbursed to LJB as a project expense with 15% added.
2. We do not expect that there will be any wetland impacts associated with this project and do not propose to have a jurisdictional determination submitted to the Corps/DEQ unless we have indications they will require it.
3. This stream is not a FEMA mapped stream, therefore we do not expect that a No-Rise, CLOMR, or LOMR submittal will be required. This scope and budget do not include submittals to NCFMP.

LJB INC. INITIALS KEW

CLIENT'S INITIALS _____



- 4. This scope does not include construction inspection and construction administration services. If needed, a separate SOW can be prepared for that work.
- 5. We assume that this culvert replacement will be able to use standard NCDOT headwalls. If non-standard structural walls are required, additional scope and fee will be required for the structural engineering.

BUDGET

We propose to perform this work on a **Time and Expenses** basis in accordance with our billing rate schedule in effect at the time services are performed. Our current billing rate schedule is attached. Our Terms and Conditions of Service in the Master Agreement provide the details under which we will perform these services. We estimate that a budget of **\$40,000** will be appropriate for this work and we will not exceed this budget without Village approval. This proposal is valid for a period of 30 days from the date above.

AUTHORIZATION

This Statement of Work is dated and made effective as of: _____, 2023 .

The parties have executed this Statement of Work below by signature of their authorized representatives.

CLIENT

Village of Clemmons

LJB Engineering PC

By: _____

By: Kevin E. Wilcox

Name: _____

Name: Kevin E. Wilcox, PE

Title: _____

Title: President

Date: _____

Date: 6/8/2023

The person signing on behalf of their respective party represents that he or she is legally authorized to sign on behalf of said party.





Date: 8/28/2023

MEMO

TO: Bridle Path Culvert SOW #4 LJB Inc.

FROM: Michael Gunnell

Re: Exemption from G.S 143-64.31

Contract Amount: \$40,000

The contract for architectural, engineering, or surveying services for the above-referenced project is hereby exempted from the requirements of G.S. 143-64.31. The estimated total cost of this contract is less than \$50,000.

A handwritten signature in black ink that reads "Michael Gunnell". The signature is written in a cursive style with a long, sweeping tail on the letter "l".

Village Manager



ATTACHMENT A

STATEMENT OF WORK #5

This Statement of Work is incorporated and governed by the On-Call Master Services Agreement #CMA 2023-003, dated January 30, 2023 between The Village of Clemmons, North Carolina and LJB Engineering PC (“LJB”).

PROJECT BACKGROUND

LJB is pleased to offer our professional engineering services to develop construction plans for North Lakeshore Culvert Improvements. A report and recommendations was prepared by Clemmons staff for this project in February 2021 to add this project to the Stormwater Capital Improvement Program. This project was submitted for Golden LEAF funding in 2023 and funding has been awarded.

SOW #5 includes the following tasks for completion of the culvert design, permitting, and preparation of construction plans:

PROPOSED SCOPE OF SERVICES

LJB will provide the following engineering services for North Lakeshore Culvert Replacement:

1. Provide a scope for survey to a surveyor contracted by the Village for survey services.
2. Develop 60% design plans for review and comment by Village staff. The plans will include a plan/profile for the culvert crossing and the proposed grading and improvement plans for upstream and downstream transition and energy dissipation areas. No traffic control or erosion control plans will be included in the 60% design.
3. Submit a Pre-Construction Notification to the Corps and NCDEQ for approval, if required, based on the 60% plans, modified to address input from Village staff.
4. Develop 90% design plans, including erosion control and all details required for the construction of the culvert replacement. Submit plans to Village staff for review and comment.
5. Submit water/sewer utility plans to the City of Winston Salem, if required to obtain approval for any utility conflict resolution required.
6. Submit erosion and sediment control plan to NC DEQ regional office for securing an Erosion Control Permit, if required.
7. Develop technical specifications and an engineer’s opinion of probable cost.
8. Finalize construction plans per review comments from regulatory agencies and Village staff.
9. Assist the Village as requested in preparation of bid documents and bid tabulations. Attend a pre-bid meeting and pre-construction meeting. (Construction Observation and Administration services are not included in this scope.)

PROJECT ASSUMPTIONS/LIMITATIONS

1. All permit fees associated with any applications will be paid by the Village of Clemmons or reimbursed to LJB as a project expense with 15% added.
2. We do not expect that there will be any wetland impacts associated with this project and do not propose to have a jurisdictional determination submitted to the Corps/DEQ unless we have indications they will require it.
3. This stream is not a FEMA mapped stream, therefore we do not expect that a No-Rise, CLOMR, or LOMR submittal will be required. This scope and budget do not include submittals to NCFMP.

LJB INC. INITIALS KEW

CLIENT'S INITIALS _____



- 4. This scope does not include construction inspection and construction administration services. If needed, a separate SOW can be prepared for that work.
- 5. We assume that this culvert replacement will be able to use standard NCDOT headwalls. If non-standard structural walls are required, additional scope and fee will be required for the structural engineering.

BUDGET

We propose to perform this work on a **Time and Expenses** basis in accordance with our billing rate schedule in effect at the time services are performed. Our current billing rate schedule is attached. Our Terms and Conditions of Service in the Master Agreement provide the details under which we will perform these services. We estimate that a budget of **\$40,000** will be appropriate for this work and we will not exceed this budget without Village approval. This proposal is valid for a period of 30 days from the date above.

AUTHORIZATION

This Statement of Work is dated and made effective as of: _____, 2023 .

The parties have executed this Statement of Work below by signature of their authorized representatives.

CLIENT

LJB Engineering PC

Village of Clemmons

By: _____

By: Kevin E. Wilcox

Name: _____

Name: Kevin E. Wilcox, PE

Title: _____

Title: President

Date: _____

Date: 6/8/2023

The person signing on behalf of their respective party represents that he or she is legally authorized to sign on behalf of said party.





Date: 8/28/2023

MEMO

TO: North Lakeshore Culvert SOW #5 LJB Inc.

FROM: Michael Gunnell

Re: Exemption from G.S 143-64.31

Contract Amount: \$40,000

The contract for architectural, engineering, or surveying services for the above-referenced project is hereby exempted from the requirements of G.S. 143-64.31. The estimated total cost of this contract is less than \$50,000.

A handwritten signature in black ink that reads "Michael Gunnell". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Village Manager