



REGULAR MEETING OF THE VILLAGE OF CLEMMONS COUNCIL February 28, 2022

The Village of Clemmons Council met on Monday, February 28, 2022, 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 Elliot Fus 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 four 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 February 14, 2022 regular meeting as presented. The motion was seconded by Council Member Taylor and unanimously approved.

Approval of the Agenda

Manager Gunnell requested the addition of Item 4. under Manager's Report "Clemmons Sidewalk Projects".

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

Announcements

Mayor Rogers welcomed the new editor for the Clemmons Courier, Mark Pruitt.

Business – Action Items

- A. *Call for Public Hearing – Zoning Text Amendment to amend multiple sections in Chapter A Definition Ordinance, Chapter B Zoning Ordinance, Chapter C Environmental Ordinance and Chapter D Subdivision Ordinance of the Unified Development Ordinances per changes to North Carolina General Statutes. The Text Amendment is on file at the Village of Clemmons website (Zoning Docket C-UDO-86).*

Council Member Taylor made a motion to Call for a Public Hearing for Zoning Docket C-UDO-86 to be held on Monday, March 14, 2022 at 6pm at Village Hall. The motion was seconded by Council Member Cameron and unanimously approved.

- B. Zoning Map Amendment of real property owned by Main Street Village Point LLC from PB-S (Pedestrian Business – Special) to PB-S (Pedestrian Business – Special) described by the Forsyth County Tax Offices as PIN number 5883-85-8093, located at 3060 Village Point Drive, consisting of 6.62 acres, more or less (Zoning Docket C-246) (Ordinance 2022-01) – Public Hearing held on November 8, 2021 – Planner Rahimzadeh advised that Council members have met individually with the developers to address issues/concerns and the best step at this point is to send this back to Planning Board for further consideration and what the Petitioner is requesting. This would possibly be heard at the April Planning Board meeting. There will be an updated TIA and a shift in the plan to include a commercial addition. Council Member Combest suggested if there is significant difference in the plan, there should be an opportunity for public comment as well (Public Hearing process again and another neighborhood meeting).

Council Member Taylor made a motion to refer Zoning Map Amendment of real property owned by Main Street Village Point LLC from PB-S (Pedestrian Business – Special) to PB-S (Pedestrian Business – Special) for Zoning Docket C-246 back to the Planning Board for further consideration and to include a neighborhood meeting as well as another Public Hearing. The motion was seconded by Council Member Barson and unanimously approved.

- C. Resolution 2022-R-5 Directing the Clerk to Investigate a Petition Received Under NCGS 160A-31 - Voluntary Annexation Request of ALTA (Harper Acres) (Forsyth County PIN #s 5883-39-7339 12.31 acres and 5883-49-6486 14.45 acres) and Jasper L. Harper, Sr. and Jasper L. Harper, Jr. – Planner Rahimzadeh advised Council the Petitioner has expressed interest in pushing this back as the Planning Board Public Hearing for the rezoning request for this site will now be in April. This resolution would be placed on the March 28, 2022 agenda.

Council Member Barson made a motion to postpone the consideration of Resolution 2022-R-5 Directing the Clerk to Investigate a Petition Received Under NCGS 160A-31 – Voluntary Annexation Request of ALTA (Harper Acres) and Jasper L. Harper, Sr. and Jasper L. Harper, Jr. to the March 28, 2022 meeting. The motion was seconded by Council Member Taylor and unanimously approved.

Business – Review and Items for Future Action

- D. Marketing & Communications Director's Report/Events Update – Marketing and Communications Director Ford advised that the Neighbors Helping Neighbors finale event resulted in 278 pounds of food collected and \$650 donated.
- Village of Clemmons is [no longer collecting grass clippings](#)
 - [Bulk Item Pickup](#) for West side of Clemmons (Tanglewood side of Lewisville-Clemmons Road) begins Monday, March 14
 - [Bulk Item Pickup](#) for East side of Clemmons (Winston-Salem side of Lewisville-Clemmons Road) begins Monday, March 21
 - [Medicine Drop](#) - March 21, 10am – 1pm – Clemmons Fire Department (5931 James Street)

- [E-Recycle](#) is scheduled for Saturday, April 9, 2022 from 9am – 3pm at the Public Works Facility
- Easter Pop-up Farmers Market will be held April 16
- Lip Sync Battle will be held Friday, April 22 at Southwest Elementary School Auditorium
- [Clemmons Community Spring Cleanup](#) on Saturday, April 30 from 8am - noon

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

E. Manager's Report.

1. *Municipal Roundtable* – Council Member Barson advised that after looking into what this would look like and how to go about it, her recommendation would be to have the Mayor's Roundtable reinvigorated as that seems to be what would make more sense with what they are looking to accomplish without being a replication of PTRC (staff-driven as opposed to more organic conversations that would be held by our mayors).
2. *Pedestrian Crossing at West Forsyth* – Manager Gunnell advised this item was placed on the agenda based on a meeting held with the Principal at West Forsyth and ongoing safety concerns for students crossing Lewisville-Clemmons Road in front of West Forsyth. He is wanting to gauge Council's interest in him speaking with NCDOT and obtaining an estimate on what it would take to add a pedestrian crossing at the stoplight (it would include a short extension of the sidewalk and possibly pedestrian lights).

Council consensus was to have Manager Gunnell speak with NCDOT and obtain an estimate on what it would take to add a pedestrian crossing at the stoplight (it would include a short extension of the sidewalk and possibly pedestrian lights) at West Forsyth High School.

3. *General Ordinance for Conferral of Mayor, Council and Manager Authorities, Duties and Responsibilities Discussion* – Council Member Combest advised he introduced this two weeks ago and has revised based on feedback provided from Council and recommended they task the attorney to develop the language that conveys those thoughts and principles in our ordinance for Council's consideration. Council Member Taylor expressed his desire to see the language in the revisions prior to directing the Village Attorney to start working on a draft. The revisions will be emailed to Council for review.
4. *Clemmons Sidewalk Projects* – Manager Gunnell advised Council that once a year, NCDOT contacts the Village of Clemmons for an update on sidewalk projects. There are four that were approved by TAC in which an

update was requested: Highway 158, two on Harper Road (Trinity Elms to Morgan Elementary and Morgan Elementary to YMCA), and Idols Road. He has been contacted recently for an update and he has spoken with Kelly Garvin about the possibility of reallocating some of the funds. He requested Council's interest in how they would like to handle/reallocate these funds. He advised NCDOT is currently doing a feasibility study on widening Highway 158 from Lewisville-Clemmons Road to Harper Road (the results of that study should be available late May or early June). Council Member Combest recommended taking the Highway 158 Sidewalk Project funds and put them in advance until the state executes their plan to widen Highway 158 which will include it. This will be placed on the very back burner which will provide higher priority to place money to projects for sidewalks from Trinity Elms to Morgan Elementary and Morgan Elementary to YMCA and after those are completed, we can move to the Idols Road Sidewalk Project.

Council Member Combest made a motion to take action to place the Highway 158 Sidewalk Project as our fourth priority and that we prioritize the Trinity Elms to YMCA (Trinity Elms to Morgan Elementary and Morgan Elementary to YMCA) Sidewalk Projects followed by the Idols Road Sidewalk Project (in that sequence). The motion was seconded by Council Member Cameron and unanimously approved.

F. Finance Director's Report.

1. *Financial Summary Report for January 2022* – report was presented.
2. *Resolution 2022-R-3 Designating a Deputy Finance Officer* – Finance Director Stroud advised this gives Manager Gunnell any authority the Finance Officer has in her absence.

Council Member Taylor made a motion to adopt Resolution 2022-R-3 Designating a Deputy Finance Officer as presented (attached hereto as Exhibit A and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

G. Attorney's Report – Attorney Fus advised Council advised his report would come during the closed session portion of the meeting.

H. Planner's Report.

1. *Draft Planning Board February 15, 2022 Meeting Minutes* – minutes were presented.

I. Engineer's Report.

1. *Resolution 2022-R-4 Accepting Hampton Chase HOA Stormwater Basin While Classified as an Integrated Infiltration System and Wet Detention Basin* – Engineer Kimbrell advised Council everything in the resolution appeases our current land development ordinances.

Council Member Barson made a motion to adopt Resolution 2022-R-4 Accepting Hampton Chase HOA Stormwater Basin While Classified as an Integrated Infiltration System and Wet

Detention Basin as presented (attached hereto as Exhibit B and incorporated as a part of the minutes). The motion was seconded by Council Member Cameron and unanimously approved.

- J. Council Comments – Council Member Barson elaborated on the Municipal Roundtable update previously. She requested Council’s interest in giving Mayor Rogers the direction of re-energizing the Mayor’s Roundtable.

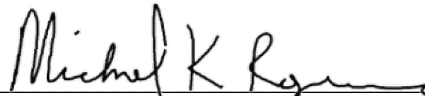
Council consensus was to give Mayor Rogers the direction of re-energizing the Mayor’s Roundtable.

- K. Closed Session for Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3)- Council Member Wrights moved to go into closed session for Attorney-Client Privilege in accordance with NCGS 143-318.11(a)(3) to discuss matters related to Visible Properties, LLC and the Village of Clemmons case at 6:45 p.m. The motion was seconded by Council Member Taylor and unanimously approved.

At 7:20 p.m., Mayor Rogers stated that by unanimous vote Council chose to reconvene the open session with no action taken.

Adjournment

Council Member Barson moved to adjourn the meeting at 7:20 p.m. The motion was seconded by Council Member Taylor and unanimously approved.



Mike Rogers
Mayor

ATTEST:



Lisa Shortt, NCCMC
Village Clerk

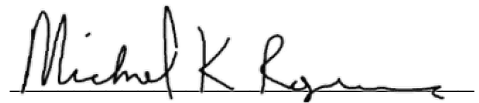
Resolution 2022-R-3

Designating a Deputy Finance Officer
for the Village of Clemmons

Whereas, a Deputy Finance Officer may perform the duties of N.C.G.S. 159-25 in the absence of the Finance Officer.

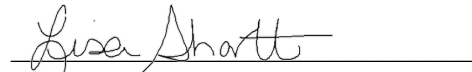
Now, Therefore, Be It Resolved that Michael Gunnell, Manager, is hereby appointed as Deputy Finance Officer for the Village of Clemmons.

This the 28th day of February, 2022.



Michael Rogers
Mayor

Attest:



Lisa M. Shortt
Village Clerk



Resolution Number 2022-R-4

ACCEPTING HAMPTON CHASE HOA STORMWATER BASIN WHILE CLASSIFIED AS AN INTEGRATED INFILTRATION SYSTEM AND WET DETENTION BASIN

WHEREAS, the designed Wet Detention Basin within the Hampton Chase development is infiltrating at a greater rate than typically designed for a Wet Detention Basin, resulting in a failed inspection under current rules and regulations for proper management of a Wet Detention Basin; and

WHEREAS, the Village of Clemmons, after numerous inspections, have concluded that the current Stormwater Device at Hampton Chase will be allowed to be classified as an integrated Infiltration System and Wet Detention Basin, due to shared characteristics of each system within the basin; and

WHEREAS, when it is time for the third-party annual stormwater device inspection for Hampton Chase HOA, this device will follow the guidelines set forth by the NC Department of Environmental Quality Stormwater Design Manual for both a Wet Detention Basin and an Infiltration System; and

WHEREAS, the current system acting as it is, provides water quality and quantity treatment equal or greater than the requirements set forth by the Village of Clemmons Stormwater Regulations and the NC Department of Environmental Quality; and

WHEREAS, Hampton Chase HOA shall maintain their Stormwater Basin as an integrated Infiltration System and Wet Detention Basin but the HOA shall not be allowed to remove any healthy landscaping from within the basin that was designed to be installed and not classified as invasive; and

WHEREAS, the Hampton Chase HOA will follow all landscaping requirements for an Infiltration System instead of the Wet Detention Basin while maintaining vegetative stabilization of the entire basin to the maximum extent practical; and

WHEREAS, the Hampton Chase HOA will not be penalized for any dead/dying vegetation that was planted for the requirements of a Wet Detention Basin installation, during the third-party annual inspection; and

WHEREAS, once the bottom of the Hampton Chase Stormwater Device naturally seals and maintains a year-round annual pool elevation resulting in the Stormwater Device functioning as the originally designed Wet Detention Basin, annual inspections will fall under all rules and regulations of a Wet Detention Basin; and

WHEREAS, at the point of natural conversion to the Wet Detention Basin, the Hampton Chase HOA will be required to install plantings along the littoral shelf to replace any deceased or removed plantings from the original design; and

WHEREAS, failure to maintain the device as a Wet Detention Basin will result in a failed stormwater device, resulting in potential penalties and/or fines as listed in the Village of Clemmons Unified Development Ordinances; and

NOW, THEREFORE, BE IT RESOLVED the Hampton Chase HOA Stormwater Device will not be classified solely as a Wet Detention Basin at this time, but will be classified and inspected as an integrated Infiltration System and Wet Detention Basin, with no course of failure from the Village of Clemmons for any attributes connected with a Wet Detention Basin device as long as the device continues to act as an Infiltration System; however, once the device begins to naturally seal and maintains Wet Detention Basin characteristics, then the Hampton Chase HOA will transition back to following all maintenance and inspection criteria of a Wet Detention Basin.

Adopted this the 28th day of February, 2022.


Mike Rogers, Mayor

ATTEST:


Lisa Shortt, Village Clerk

