



Town of Walkertown, North Carolina

Website: townofwalkertown.com

Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY 7:00 P.M. November 16, 2006

MINUTES

At 7:00 p.m., the Town Council meeting was called to order by Mayor Doc Davis. It was determined that all council members, staff and attorney were present. Council member Brenda Mabe said a brief invocation and then led the group in the Pledge of Allegiance.

MOTION FOR CONSIDERATION OF AGENDA

At the request of Council member Wayne Hester, a Closed Session under NCGS 143.318.11(a) was added to the agenda as Item #11 after the Regular Session. The amended agenda was approved on a motion by Wayne Hester and seconded by Sarah Welch.

MOTION FOR CONSIDERATION OF COUNCIL MEETING MINUTES

- OCTOBER 26, 2006

On a motion by Ralph Landreth, and seconded by Wayne Hester, the minutes of October 26, 2006 were approved as written.

PUBLIC SESSION

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

Public Session was opened at 7:04 p.m.

1. Larry Wilson
5084 Donna Marie Court
Walkertown NC

I'm here to address the road conditions that we have off Jacki Lane and Chris Drive. If you are familiar with that area down there, the road really needs some improvements. We have done everything that we could do to keep the roads up to par. I think about a year and half ago, I spoke with the previous town manager and he was well aware of the situation. He came down and checked it out and he was going to see what he could do for the roads at that time. I came up and spoke with the present town manager about two weeks ago and at that time, he said he was going to go down and check the roads out and see what could be done about it. So we're here, as a community and as a group, this afternoon to see if we can get some assistance from the Town of Walkertown.

2. Tamra Eccles
2038 Chris Drive

Walkertown NC

My husband and I own three lots on Chris Drive. For years, we've tried to use gravel and buckets of asphalt to patch and repair our streets – Jacki Lane and Chris Drive. When we received the petition for voluntary annexation into Walkertown in 2003, we saw hope and help at last! The confirmation letter that I received from the town manager was dated October 17, 2003. In this letter, it stated that the town services included street repairs, snow removal and street lights. We implore your help – we have only one way in and out. Our roads are deteriorating with time, weather, and heavy trucks. Our cars drag and bump even when inching through these holes. Should anyone want to sell their home, we would lose value and/or it would take longer to sell because of the street conditions. My children have to walk around and through these holes, up to Highway 66 to catch the bus. Needless to say, we can't ride our bikes through this. If you've never driven Jacki Lane and Chris Drive, or its' been several years, I invite you to visit. If we had an emergence – fire or EMS – emergency vehicles would have to slow down drastically. This winter, the entire intersection will be a giant sheet of ice. How can we safely navigate the turn? Please repair our streets as we were given to believe when we agreed to annexation. And I also have a copy of that letter that I will give to each of you.

3. Larry Bolden
2029 Chris Dr.
Walkertown NC

Just like Ms. Eccles has said, we are in bad need – I do have five pictures here. If you folks would like to look at them, I've got some explanations, and they're marked on the back as one through five. As you can see, standing from my neighbor's driveway, taking a picture, the road down there is in real bad shape. We do need some help getting this thing fixed, dramatically. It's not getting no better. It's getting worse. Now, it set there for six years and no maintenance has been done on this thing, other than us trying to keep the holes patched. And they're not staying. The biggest thing that I see, just like Ms. Eccles said there, it devaluates the property real bad and there is two homes up in that neighborhood trying to be sold. If I was a buyer and come down in there and try to cross that mess, there ain't no way --- ain't no way nobody's going to buy them property up in there. But we do need the help bad. And just like the letter – I do have a letter with the same information she has, we also ---- the biggest thing I guess you can say, that street was never designed for nothing more than an automobile. Now, a garbage truck – let's live in reality – a garbage truck, the gross weight on a garbage truck – somewhere between 40,000-50,000 pounds. It ain't helping that road over there at all – no road's going to stay up, unless it's built up a little bit better than what it is now. That weight from garbage trucks, or big trucks coming in there is not helping our road at all. It was designed for automobiles – which automobile, you're talking about a 3,500 pound car. So you can see there's a tremendous amount of weight tearing that road up and it's not getting no better. So if there's anything the town can do, we, as homeowners and property owners in there, would appreciate all the help that we can get.

Mayor: I think we all agree that there's some areas there that need some help – no doubt about it. What you told us tonight is nothing that we did not already know. But, we appreciate your bringing it back to our attention.
Ms. Welch: Was this a private pavement done?
Mr. Bolden: I don't really know. I do know that there was a development cut out in there.
Ms. Welch: Okay. That was it then – development.

Mayor: Let's take just a moment, if council would allow me. We discussed this street situation, Chris / Jacki / with all three or four of these – if you'll remember, at the work session. I think we were going to determine how many people were in and how many people were outside the town on those three or four streets, ever what Jack runs down – Chris runs this way – and what's the next one over?

Mr. Bolden: Donna Marie.
Mayor:And Donna Marie --- When Chris goes down and turns back to the..... left – no, at the endand goes up. What's the name of that one?
Mr. Bolden:Left.....That's Donna Marie.....It also deadends up in there, too. Jacki goes down – Chris, you can go right or left – it deadends out there to the right. And you make a left, and it goes up the hill to the far end, and Donna Marie turns off to the left and it also deadends in there.
Mayor: All right. Okay. I think our consensus was that we would determine the non-town members, is that correct, Council??.....

All members agreed in the affirmative.

Mayor:And at that time, once we determined that, we'd know what we can do. We have not done that, I don't think, have we?.....
Mr. Bell:I don't have the precise count, but it's about 2/3 of the property.....
Mayor:If you would, give us in the next week or so – let's get this done and find out how many, is that right, Council, that we want to know?.....
Mr. Landreth:Yes. We'd like to put that on the priority list.....
Mayor:We would like to know how many people is outside the town; invite them to come in. Until they come in, it would only be a pro-rata. If they're all in, then we could possibly do something quicker. If you would, get that for us. Is that agreeable with you, Ms. Welch?
Ms. Welch: Yes.
Mayor: Are ya'll agreeable, Council?

All members agreed in the affirmative.

From the audience, Mr. Bolden asked, "Now, we when we took in – I know it's voluntary annexation – in this way, these other people cannot automatically annexed?"

Mayor: We have no forced annexation. We, as a town do not have forced annexation. We could if we wanted to do it, but as a town, we've been voluntary annexation only. Isn't that correct, Steve?

Mr. Garland: That's correct. And, I had one question, and that is are these public streets or are they private streets?

Mayor: The problem is, some of them were cut – they were never brought up to standards to meet state standards. The town did not accept them. The developer has long since gone and the streets are there and in need of repair – and these are citizens. And that's where we stand.

Mr. Garland: Sure. I understand that. My only concern is that is there anything out there right now that had ---- there's no owners association? Ya'll don't have easements or anything?

From the audience, Ms. Eccles said, "We have an owner's association but when we bought in there, June of '91, we were led to believe that that was a public maintained street, and, according to our loan process, it was supposed to have been public maintained street.

Mr. Garland: My only concern is that if the streets are owned by everybody out there, the problem might be that you might need everybody out there to be able to dedicate them to the city. If they're not – if they're just shown on a plat as public streets – then, maybe something different would occur. But, I just wanted to be sure that we had the proper knowledge of who sort of owned the streets.

Mayor: Sounds like you've cut yourself out a few more hours of work!!!!

Mr. Garland: NO! I'm not trying to do that.... (LAUGHTER ALL AROUND)
If we can find it out, but I will, if there are plats.....or something.....If I could.....

Mayor:Ron, will you.....get with Steve on that.....

Mr. Garland:get somebody's name and a tax lot and block, I should be able to find that out.....real quick.....

Mayor:You think we can get that done this week so we can find out where we stand.....

Mr. Garland:I can try..... This week is one more day..... I could.....

Mayor:I'm not.....talking about this week.....I'm talking about.....

Mr. Garland:I'd rather commit.....today.....

From the audience, Ms. Eccles asked if Mr. Garland needed a copy of the plat and Mr. Garland said, yes. She said she would get Lynn a copy of the plat the next day. And Mr. Garland said, "As a matter of fact, if you have just the book and page on the plat, and Lynn you get that and I can dig that out that way."

Mayor:And then Ron will be letting us know who is outside the town and that's going to be a big help. If we got ten or more residents, or ever how many numbers outside, it could be if we could get them in, it would make it a whole lot easier. And once Steve gets his work done, then Ron could find out how many we've got outside the town and I think the council would probably be able to work with this a lot better. Don't ya'll agree?

All members agreed in the affirmative.

Mr. Hester: Are all of ya'll within the town? Have you volunteered for voluntary annexation?

From the audience: Ms. Eccles said Yes. Mr. Bolden said, "Now, I think – Bobby, was you annexed into the Town of Walkertown?" Bobby said, Yes. Mr. Bolden said, "This is Bobby Williams, another gentleman that lives beside me." Ms. Eccles said there are more that could not attend tonight that are also a part of the group.

Mr. Hester: Well, do you think we could get ya'll to ask any of the people that are not voluntarily annexed, if they would consider.....

From the audience:coming on in?.....

Mr. Hester:Yeah.

Mayor:Well, that's going to be a must in order to get it all took care of, and once these two get their work done. So we'll leave it at that. Those two will be working on finding what we can do, do you agree?

All members agreed in the affirmative.

Mayor: That wasn't on our agenda but we didn't want to ignore your request here. Okay?

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

ITEMS FOR DISCUSSION AND/OR ACTION:

1. FOR DISCUSSION AND/OR ACTION

UPDATE: GANT PROPERTY (VACANT LOTS)

Mayor: There is no follow-up literature with it. Is there new information?

Mr. Bell: Just.... The last piece is, we have a copy of the letter and the attached Notice of Residual Petroleum with a plat that was taken yesterday to DENR for approval. They have talked to Mike Rogers with DENR and he had given them his word, or has said that he would sign it as soon as soon as he saw the plat. That sounds like a rubber stamp and when he sees the plat, you know, I assume he won't see anything to change his mind. So we're just waiting for word back from Gant's attorneys saying that the DENR's issued the letter for separating the property.

Mayor: Okay. So when do you anticipate hearing this? Before the December..... we've got to the end of December, is that correct?

Mr. Bell: Yes. There were some circumstances that drug it out a little bit but DENR, Mike Rogers, when I talked to him, told me it would take a day or two at most so I would expect by tomorrow, but no later than Monday would be my guess.

Mr. Hester: Are we going to have another work session in December?

Mayor: Nobody's

Mr. Landreth and Ms. Mabe: In January....

Mr. Hester: I was wondering if we had one in December??

Mayor: Why? You want to get out of it? (HA HA)

Mr. Hester: No. I thought if we had one in December, we could find out something before then. We'd know something about what we want to do. We can all get together.....

Mr. Garland:And that's what I was going to say. We could email or.....as soon as we know.....Ron and Lynn will know.....and then they will make sure that you all know..

Mr. Hester:And then we'll know what we'll want to do in December as far as that goes.

Mr. Bell:Basically, it'll be either the lots will be separated, the front lots will be the site and the rear lots will not have any encumbrance, or they'll all be.....

Mr. Hester:Right.....Be together.....

Mayor:That's the letter's reading, the way they're ???

Mr. Bell:The site – the letter's reading to separate so those back lots would be free to use as we see fit.

Mayor: If they're all encumbered, I think the feeling is we probably wouldn't be too enthusiastic at that point.

Mr. Garland: And they know that.

ACTION: WAIT FOR WORD FROM DENR ON SEPARATING CONTAMINATED LOTS FROM NON-CONTAMINATED LOTS.

2. **FOR DISCUSSION AND/OR ACTION**
RESOLUTION #06-045
TO CALL PUBLIC HEARING TO CONSIDER CHANGING TERMS OF ELECTED OFFICIALS

Mayor: There's a resolution in your packet. You see the way it's listed here? To change the staggered term. Do we need to read it, Steve?

Mr. Landreth: I think we all understand it.

Mr. Garland: If it staggers it the way I understood and the way the town staff had talked to me about was that there would be four year terms but they'll be phased in because you want to have two elected at one time and two elected the next time. So the next election, there will be two people with two year terms and two people with four year terms. And then those two year terms, after the next election, become four years.

Lynn: Now, I did hand out a newly revised resolution, changing some of the wording.....

Mr. Garland: This new one sets a public hearing so it's the one that you need to pass. And after the public hearing, you will actually pass the amendment to the charter.

Mayor: All right. Is there a motion on this resolution and if the resolution passes, we will then set the date of the public hearing and then after the public hearing, there will be the possibility of _____.

Mr. Garland: That is correct – except I think this resolution does set the public hearing.....

Mr. Bell:At the bottom of the.....

Mayor:In this resolution, we do have a date of December 21st for the public hearing on this resolution.

MOTION: **TO APPROVE RESOLUTION #06-045 TO SET A PUBLIC HEARING DATE TO CONSIDER CHANGING TERMS OF ELECTED OFFICIALS**
BY: WAYNE HESTER
SECOND: RALPH LANDRETH
VOTE: MOTION PASSED UNANIMOUSLY

3. **FOR DISCUSSION AND/OR ACTION**

UPDATE: ANNEXATION AGREEMENT WITH KERNERSVILLE
RESOLUTION OF INTENT: TO ACCEPT AGREEMENT

Mayor: This is setting a date for a public hearing. Kernersville is having their public hearing on December 5th. They did the meeting on November 7th – they’re having the public hearing on December 5th. And this was agreed to by the Council last month to go forward with the resolution. So all we need to do is set the date for the public hearing, is that correct, Steve?

Mr. Garland: That is correct. I think you have a draft resolution.

Mayor: A draft resolution is in front of us. We had the map here last month; so, is there a motion on setting the date?

Mr. Hester: Can we set that date for the same public hearing?

Affirmative answer.

Mr. Hester: Okay. I make a motion to accept it and make it the same date as the other public hearing.

MOTION: **TO APPROVE RESOLUTION #06-046 AS WRITTEN AND SET A PUBLIC HEARING FOR DECEMBER 21ST ON PROPOSED WALKERTOWN / KERNERSVILLE ANNEXATION AGREEMENT**
BY: WAYNE HESTER
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

4. **FOR DISCUSSION AND/OR ACTION**

RESOLUTION #06-047
TO ESTABLISH WALKERTOWN TOWN COUNCIL REGULAR MEETING DATES FOR CALENDAR YEAR 2007

Mayor: If you’ll look under Item #4 in your agenda workbook, we’ve got the dates listed and if the dates don’t conflict with vacation, etc., --- On the November date, Ms. McKinnie has put down the 15th or the 29th, I’m going to recommend we do it the 29th. The 15th puts us the week before, the 29th puts us the week after. Would ya’ll want to go with the 29th in November? It’s always the fourth Thursday except for November and December – those two months we

change due to the holidays. Everybody looked at those dates? They're not written in stone. We can change them again if we have to.

MOTION: **TO APPROVE RESOLUTION #06-047 TO ESTABLISH WALKERTOWN TOWN COUNCIL REGULAR MEETING DATES FOR CALENDAR YEAR 2007 (USING 29TH FOR NOVEMBER)**
BY: WAYNE HESTER
SECOND: BRENDA MABE
VOTE: MOTION PASSED UNANIMOUSLY

5. **FOR DISCUSSION AND/OR ACTION**
RESOLUTION #06-048

CHRISTMAS HOLIDAY SCHEDULE FOR TOWN HALL STAFF

Mayor: Ms. McKinnie has recommended half a day on the 22nd – Monday the 25th and then Tuesday the 26th as a “floating”. And also, she wants Monday, the first! This is in keeping with what we’ve done in the past.

MOTION: **TO APPROVE RESOLUTION #06-048 AS WRITTEN – TO APPROVE TOWN STAFF CHRISTMAS HOLIDAY SCHEDULE FOR YEAR 2006 AS PER PERSONNEL BENEFITS POLICY**
BY: RALPH LANDRETH
SECOND: WAYNE HESTER
VOTE: MOTION PASSED UNANIMOUSLY

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

DECLARE DUMP TRUCK, SPREADER, AND BLADE AS SURPLUS PROPERTY (MAYBE SELL FOR \$5,000??)

Mayor: In addition to these items, I think we said the backhoe.....
Mr. Hester: Backhoe, added.
Mr. Bell: Well, yeah, we said we’d do that by December – but, you know, either way. You can do it this month as well.
Mr. Hester: I think we ought to go ahead and add the backhoe at the same time.
Mayor: I think we ought to do it all together at the same time, too. Do ya’ll agree, Council.

Affirmative all around.

Mayor: This is declaring the old dump truck, which has a salt spreader on the back, and the blade for the front – this is what model of truck is it?
Mr. Bell: I think it’s an ’87....
Mayor: Is it Ford or International?
Mr. Bell: International.

Mayor: 1987 International dump truck – it’s got the salt spreader on the back; it’s got the blade for the front. And the backhoe, as well. And it’s a Ford 5550 – it’s a diesel. So we declare these as surplus. Is this what you want to do, Council? We got a motion and second to sell these items. That’s the truck and two pieces of equipment – the spreader and the blade, with the truck – and then the separate piece of equipment is the backhoe. And I’m assuming we’ll sell the truck altogether, with the spreader and the blade, together. And then the backhoe will be a separate piece. I guess we need to determine after we vote, how to sell it. Is that correct, Steve?

Mr. Garland: Depending on the value, I think you have a broad choice.

MOTION: **TO APPROVE RESOLUTION #06-049 AND DECLARE AS SURPLUS PROPERTY THE 1987 INTERNATIONAL DUMP TRUCK WITH ATTACHMENTS OF SALT SPREADER AND A FRONT SNOW BLADE AND THE BACKHOE**
BY: **RALPH LANDRETH**
SECOND: **BRENDA MABE**
VOTE: **MOTION PASSED UNANIMOUSLY**

THIS CONVERSATION TOOK PLACE LATER IN THE MEETING:

Mr. Garland: Mr. Mayor – I think we can go ahead and finish Item #6 up.

Mayor: All right. Go back to Item #6 – we’re selling again! We quit buying, we’re selling.

Mr. Garland: I would give the broadest possible discretion to use one of two methods. One is, sealed bid (NOTE: 160-268 Advertisement for sealed bids) – I know that there are some folks who have used that as a way to sell property. You advertise and accept bids. Another option is Exchange. It seemed to me that there’s a possibility that the folks selling the new plow and spreader have any interest in acquiring in trade the old plow and spreader, you’re allowed to use the old equipment to trade for new equipment as long as you get what is fair value.

Mayor: That’s not an option.

Mr. Garland: And then if you are actually less than \$10,000 you’re selling personal property, you can have a private negotiated sale (NOTE: 160-267 Private Sale). And for that, Ms. McKinnie, you just need to publish resolution at least ten days prior to the sale. So, my suggestion would be to authorize each of those two and then authorize your town manager to pick whichever action fits.

Mayor: Okay. You’ve heard Steve’s recommendation. Do ya’ll agree with that?

Affirmative all around.

Mr. Garland: I think that “So moved” would probably do it and Lynn can draft it.

THIS MOTION ALSO APPLIES TO THE MOTION ABOVE APPROVING RESOLUTION #06-049:

MOTION: **TO APPROVE RESOLUTION #06-049 USING ONE OF THE TWO METHODS OF SALE AT THE DISCRETION OF THE TOWN MANAGER AND SELL BY SEALED BID OR BY PRIVATE NEGOTIATED SALE**
BY: **RALPH LANDRETH**
SECOND: **BRENDA MABE**
VOTE: **MOTION PASSED UNANIMOUSLY**

7. **FOR DISCUSSION AND/OR ACTION**
BUDGET AMENDMENT TO PURCHASE SNOW PLOW (\$5900) AND TAILGATE SPREADER (\$2200) FOR PICK-UP TRUCK

Mayor: The next item is – since you’ve voted to sell, we now don’t have a snowplow! So, this item is to budget a budget amendment to purchase a snow plow which would be to retrofit the truck that we currently have with a snow plow and tailgate spreader. This is a fiberglass spreader that would fit on the back of the tailgate to be used on our streets. You see the prices there for the snowplow and the spreader. This would require a budget amendment since this is not in our current budget. Ms. McKinnie’s volunteered to use it! Do you want to do it, council?

Ms. Welch: I make a motion that we go ahead and purchase the snow plow and tailgate spreader.

Mr. Hester: And we ask the town manager – these prices were checked and they have been checked with other prices and this is in line with them or maybe even less than some of them.

Mr. Bell: Yeah. I got some other quotes and I knew that they had had another quote from Snowway but it was Snowway blade was \$800 more. There was another spreader that was within \$50 but it was about half the size and capacity and then the other spreader was about \$700 more.

Mayor: All right. We got a motion and a second to do a budget amendment which would allow the purchase of the snow plow and the tailgate spreader. And, actually, this motion is covering two items – a budget amendment and purchase of these two items. Is everybody clear on that? Because we’re having to allocate the money and then we’re approving the purchase. Okay?

Lynn: Can I ask a question? That truck we have is seven years old and it’s only a two-wheel drive; why would you not think about getting a four-wheel drive and.....?

Mayor:That’s something that we’ve already discussed and we probably need to look at a four-wheel because Wayne and were talking about it at work session. We talked about whether that would be adequate to push snow or not. I don’t know whether it would or not. Ron thinks that it would be good; that it would be okay.

Mr. Bell: That’s correct. This includes some air springs for the front to get the rating up high enough and then it would be fine to push. In this area, they feel like it would be fine to push the snow we normally have. The blade and spreader also can be just moved to another truck.....

Mayor:In the event that it didn’t suffice, I guess we could take the blade off and buy a four-wheel drive and put it on

Mr. Ron:Yeah. It would be a matter of a couple of attachment points to hook up to the frame but it'll fit anything in a comparable range.

Lynn: Okay. I was just wondering because

Mayor: Yeah. That is something we discussed at our work session, whether it would be adequate or not and that is a good thought, Ms. McKinnie. I'm really surprised that you kind of hang on to that!!

Lynn: Hey! I lived in Chicago and Ohio – I know how to plow snow!!!

Mayor: Is that okay with the council to do it that way, to go with a two-wheel and try it and if not, we'll come back and look at it? Is that what ya'll want to do, council?

Affirmative all around.

MOTION: **RESOLUTION #06-050 TO APPROVE BUDGET AMENDMENT #2 FOR APPROXIMATELY \$8,000 TO PURCHASE SNOW PLOW AND TAILGATE SPREADER**

BY: **SARAH WELCH**

SECOND: **WAYNE HESTER**

VOTE: **MOTION PASSED UNANIMOUSLY**

8. FOR DISCUSSION AND/OR ACTION
ORDINANCE EXAMPLE-
LOITERING

- **EXAMPLE OF ORDINANCE**
- **EXAMPLE FROM OTHER TOWNS**

Mayor: If you'll look in your packet, you'll see some samples of other towns' loitering ordinances.

Ms. Welch: Have we not had loitering before?

Mayor: I don't know. We don't have an ordinance.

Mayor: You see some samples of loitering in your packet. Ms. McKinnie, would you like to give council some history on this?

Lynn: The Sheriff's deputies came a month or so ago and asked me to prepare an ordinance against loitering because of Sheetz and some of the other businesses because of people selling drugs and doing other "un-nice" things. So I called around and got some other towns' ordinances for examples and I thought maybe Steve could help revise a sample for us to use.

Mr. Garland: I think we were looking for some guidance. My suggestion would be that we use something like the Kenly ordinance together with the "Closed" ordinance. The point being that a broad loitering ordinance is not as likely to be enforced as an ordinance that has some specific provisions. I think the Kenly ordinance – isn't that the one, Lynn, that has the provisions where people are pestering people or doing something actively that would interfere others carrying about their business. That would be my suggestion as opposed

to a broad loitering ordinance and I think we were just looking for some direction from ya'll as to that being the way that you'd like to see the ordinance worded.

Mayor: Is it your opinion that Rural Hall's is too broad?

Mr. Garland: Well, I don't want to give an opinion as to somebody else's ordinance; I'm just saying that – the narrower it is, the better.

Mayor: You're looking at "Friendly Kenly" as the one we need to look at seriously.

Mr. Garland: Right. And, again, I think have an ordinance that basically includes activities that everyone else carrying out their normal business.

Ms. Mabe: Would this be concerning public buildings and places but not places of business?

Mr. Garland: My understanding is that you want it to be places of business as well.

Lynn: That's what the deputies mainly wanted it for.....

Ms. Welch:Public place, right.....

Ms. Mabe: ...It does talk about, for example, do not the businesses now already have the authority to disperse these people? I'm not against this – I'm just asking questions.

Mayor: I don't think they really can.

Lynn: That's exactly why they came and asked me for this – because they can't.

Mayor: The law enforcement does not have a right unless the people.....

Mr. Hester:the business files a complaint.....

Mayor:business or they're breaking some law, wouldn't you say, Steve?

Mr. Garland: That's right. I think if they were trespassing. But I think what probably is the situation is that the business and the deputies have gotten together and decided it would be difficult to show the folks were actually trespassing.....

Mayor:And with Sheetz, it's hard to trespass after hours because they're open 24 hours a day, 365 days a year! So it's not a matter of after hours, you're not supposed to be here.

Mr. Garland:And, again, I don't know what the situation is out at the shopping center but all of those areas may be common areas so it may be that it's not just Sheetz's property that the folks are on – it's shopping center property so someone would say you shouldn't be here and they say we parked here because we're going to go into that store over there, you know, again, they may not be trespassing. So, I think that's probably why they'd like the loitering law. Again, I'm just saying I think the best approach to a loitering law is to have one where there's some activity that is disruptive and I think that's why you'll find the Winston-Salem law, for example is even narrower because it actually applies merely to growth(?) situations. What I am proposing is more of a intermediate sort of law between one, say, that anybody standing around not doing anything, can be cited as the far extreme of the loitering law to the Winston-Salem, which has to be involved in drugs. But the Kenly was a pretty good compromise because it required some interference but it didn't necessarily have to be drugs.

Mr. Hester:It covers about anything, too.

Ms. Mabe:It also covers when they park vehicles in the shopping center without permission or overnight parking trucks because I know things get parked up there and they get concerned about that.

Mr. Garland: Okay. We can take a shot at that. The problem there, of course, is whether or not they have permission. You get back into a trespassing situation, loitering..... This law was really more aimed at foot traffic and individuals than it is at vehicular traffic.

Ms. Mabe: In other words, sitting out there illegally, sitting and talking after the hours of the shopping center being closed.

Mr. Garland: To the extent that there's interference or some sort of other activity going on.

Mayor: All right. Do you council members have a feeling? You see the three – you've got Winston-Salem's; you've got Rural Hall's; you've got Friendly Kenly; and I don't know whose this other one is.

Mr. Garland: I think Kenly had a couple and Winston-Salem had a couple. And, again, I don't think we're really looking for anything more than if that's the direction you'd like us to go then we'll come back in December with a newly proposed ordinance. And I don't think I need a vote – unless ya'll think you need a vote – unless someone objects, that's the way we'll go with this.

Mayor: Okay, council, what's your pleasure?

Ms. Mabe: I'll make that our pleasure – that we do that in December.

Ms. Welch: Right.

Mayor: Okay. Let him fine-tune the Kenly version, is that what ya'll are looking toward?

Ms. Mabe: Yes.

Mr. Hester: Yes.

Ms. Welch: That's the one I like.

Mr. Landreth: I like that one, too.

Mayor: All right, Steve. You've got your orders. One after Friendly Kenly.

Ms. Mabe: Thank you , Steve.

Ms. Welch: It's been well needed.

Mayor: Ms. McKinnie will be happy. There'll be no more loitering!!

ACTION: STEVE GARLAND WILL FINE-TUNE THE KENLY VERSION OF THE LOITERING ORDINANCE AND BRING IT TO THE DECEMBER MEETING FOR REVIEW.

**9. FOR DISCUSSION AND/OR ACTION
RECREATION COMMITTEE REPORT**

Mayor: You've got a recommendation from the Recreation Committee. This is the last recommendation from the Recreation Committee. It's for the council to consider tonight or whatever you want to do. I can give you a little background. There is a quite a bit of knowledge and information that the Recreation Committee did not have. They did not know the money that's available. They did not know the time frame that enough money will be available. There was quite a bit of discussion from the various groups in the

town – from The Friends of the Park, the Old Community Center Building, the Arts Council, the Civic Club – each one having a amount of money that they would like to put into it. Each one had their own stipulations concerning what they wanted to see in the building and where they wanted it to be built and things of this nature. The council has a recommendation that seems to be the desire to have a building. So it's left up to the council how much money will be allocated. We know what we've got in the Hotel Occupancy Tax Fund, which up to half of it could be used for this, if we wanted to use that. We know we've got at least \$100,000 in the Recreation Fund that's set aside for nothing but recreation from a gift. So this is the recommendation from the Recreation Committee:

RECREATION COMMITTEE RECOMMENDATION #1

NOVEMBER 2, 2006

The Recreation Committee recommends to the Walkertown Town Council the following:

The Recreation Committee realizes that the greatest need of our town regarding recreation for all ages is for a multi-purpose Community Center building such as Tobaccoville and King and other towns have.

The Committee also strongly recommends that the Community Center Building be located at the Wickenham Road Park property.

COMMITTEE MEMBERS:

DOC DAVIS
JEFF LARRIMORE
GEORGE WITHERS
ARLYN WILSON

HOWARD WEBSTER
AB MARTIN
WENDELL AMOS
RAY VON COOK
O'MAR SMITH
WAYNE HESTER

LYNN MCKINNIE, SECRETARY

Mayor continued: So, do you want to accept it; do you want to act on it, do you want to discuss it? What's your pleasure, Council?

Mr. Hester: I don't want to accept it.

Ms. Welch: I agree.

Mr. Hester:Because whatever we do, we are going to do for the good of the town and I don't feel that putting anything down on Wickenham property is going to do that. It's going to put it in jeopardy – just like the old property at the community thing up here on Camp Betty Hastings Road was. It would be open for vandalism and so forth. And I think that we still need to study on that to see what money we come up with and then work out what property we might have and put it in a more central location as far as the town goes. And it'll be for the whole town and the people of the town.

Ms. Welch: Right!

Mr. Landreth: That's why it's important to try to get some more property These three lots we've been talking about.....

Mr. Hester: Right. See what properties we come up with. But the main thing I don't like about this is the recommendation that they want to put it at the Wickenham Road Park property. I don't think it would be the best thing for the whole town so I would not be in favor of that.

Ms. Mabe: No. That should be left for the ballfields down there.

Mayor: This is just the fund balance that's in the
Actually you see the – we're talking about \$272,000 if you use half of the Hotel Occupancy Tax and then the \$102,000 – so you're talking about \$272,000 is approximately what's available, if you decide to do that. I'm not saying you've decided – I'm just saying "if" you decide to do that.

Ms. Mabe: But also we need to wait and see how many grants ---
- Mr. Bell's working on some grants right now – and see what we can match before we make any decision. Because that's an important move.

Mayor: So it sounds like you're ready to move this to the December meeting and look further? Ron's working to – he cannot apply the land around town hall to use that as a grant until it's cleared. Is that correct, Ron?

Mr. Bell: Yeah. If we can get a waiver after it's cleared.

Mayor: Once it's cleared to be separated by the deed, is that correct?

Mr. Bell: Right.

Mayor: This is on the back two lots being separated from the front two lots. So do ya'll want to table this til next month?

Mr. Hester: I say that we table it til at least the December meeting and then we'll take it up at that time.

Mayor: Is that agreeable with you, Ms. Welch? Mr. Landreth?

Ms. Mabe?

ALL RESPONDED YES

Mayor: We'll table Item #9 to the December meeting – looking at the money...looking at..... I don't know how to better bring these various committees and groups together with all the different opinions better than what we've tried to do so far. We've ---

Mr. Hester:Well, I think it should be clarified that if they donate the money to the town for the purpose of building anything recreational,

or to build a community building, that it would be without stipulations because the town council should be the one to control it, whether it's this council, the next council, or the council four terms down the road. Because if you have five different organizations, it's hard enough for the council to get together, and if you have five different organizations and somebody saying, "Okay. We'll put in "X" amount of dollars and we want to run it this way." It's going to be hard to do. So once the money's put in, I think it should be one group that handles it, that takes care of the building or whatever ---- and no stipulations that we couldn't do this -- or couldn't do that or it had to be a certain way.

Ms. Mabe: Well, the town's going to be responsible for maintenance and everything else, so I think it should be ----- Not that it's this council -- And we're not talking about this council.....

Mr. Hester:Right.....We're talking about the town council.....

Ms. Mabe:We are talking about future councils down the road. What we're trying to do -- this council now -- is trying to look down the road to the future for our town. So anything that we are doing now -- we're trying so hard to lay the groundwork for future councils to be able to work upon and for the future of our town. So that's what we're trying to do right now.

Mayor: Everybody agree? Okay.

ACTION: This item will be tabled until the December 21st meeting.

10. FOR DISCUSSION AND/OR ACTION

TOWN HALL PROPERTY IMPROVEMENTS

Mayor: Most of this we dealt with at the work session.

If you look on your worksheet:

- Mr. Bell's getting us prices on Items 1 through 5.
- Item #6 -- We circled this -- holding off on that.
- Under Upgrades, he was going to get some estimates on #1, #2 -- for the Handicapped Access, we need to just fix it. We raised that to smooth it out. This was just going to be fixed, repaired to where it will be a smooth entrance -- where it's not being a two-inch drop or whatever. Repair #2. #1 was to get some estimates on the, not the courtyard, but the entrance -- there was quite a few splinters.
- #3 Outside lights -- We probably just -- the biggest thing we need is some bulbs in some of them.
- #4 -- And the same way with the Inside lights.
- #5 -- And we were going to work on improving the wallpaper or painting or whatever we was going to do with the conference room. We thought the table was fine but we need to improve the appearance -- and the lighting. The wallpaper is peeling off the walls and it was to be improved. That drastically -- and did we, what did we decide how we was going to do that? Mr. Hester said that Ron was going to get estimates on the painting and repair of the wallpaper... And the #3, we were talking about putting a motion light maybe outside there and putting bigger bulbs in the other lights. Ms. Mabe asked, was it a motion light? Mayor Davis said, Yeah.

At the entrance – that’s what Wayne suggested, put a motion sensitive light at the entrance.

- #6 – And the Control Access area – he was going to get the price on that. We all agreed that that needs the controlled access in the front, coming in.
- Mapping Area – Check on the price of a mapping file cabinet for the maps – specially designed for maps and see a price for that. Down in the area where it is between the back hallway or the hallway in the sheriff’s office.
- And I don’t think we were ready for any false ceilings at this time.

Was there any other things that we discussed on that portion? We should get the prices right away and get moving on some of this stuff. In talking, I think we’d asked Ms. McKinnie one time before, and I don’t think we followed through, on getting the picture for the Conference Room. We’ve never done anything about that, have we?

Lynn: Well, I worked on trying to get the picture from the Winston-Salem Journal.....

Mayor:Well, I mean, what we talked about getting Mr. Warner??.....right.....

Lynn:and they wouldn’t let me have the picture. I think I have told you all that several times.....

Mayor:I didn’t know --- I knew there was a complication – but I didn’t know what.

Lynn:Yes. The Journal said it had something to do with being “copyrighted” --- isn’t that what you understood, Wes?

Mayor:If we had a reporter that had some pull, maybe we could get something done (JOKINGLY SAID TO WESLEY YOUNG)

Lynn told Wesley Young that we want that picture of Horace Warner that the Winston-Salem Journal has. After speaking with several people at the Journal, Lynn was told that the picture is copyrighted, so to speak, and they couldn’t give or sell it to us. We want a copy of the picture to put in the Horace Warner Conference Room – it’s a picture that the family really likes and it’s very complimentary to Mr. Warner.

Wesley Young said he would check in to this and see if he could find out what he could do to get us a copy. He said the trouble is they say if they don’t know who provided the picture, somebody else owns the right to that picture, then the Journal can’t disperse it to just anyone with proper permission.

ACTION: Wesley will check on getting the picture of Horace Warner and get back to Lynn.

TOWN OF WALKERTOWN PROPERTY IMPROVEMENTS

NOVEMBER, 2006

Maintenance

1. Paint Exterior
To keep siding & trim from further deterioration.
2. Paint Interior Trim
For appearance & protection
3. Repair Guttering & Fascia
 - Repair fascia & trim with vinyl.
 - Repair or replace gutter on the east side.
4. Replace Smoke Detectors
Required by Fire Inspection
5. Entrance Porches or Roofs
Put porches or entrance roofs at back entrance(s) to stop deterioration of floor and flooring at these doors.
6. Improve Bathrooms
 - Replace/repair Toilets (more eco-useful bowls?)
 - Replace/repair sinks

Upgrades

1. Replace Exterior Steps
Replace the steps at the courtyard doors and back entrances to meet current code.
2. Handicapped Access
Complete work on making Town Hall meet the ADA (Americans with Disability Act) requirements.
3. Outside Lights
Improve lighting at front entrance for safety
4. Inside Lights
 - Improve lighting at front desk.
 - Evaluate lighting in offices.
5. Re-decorate Horace's Conference Room
 - Improve appearance & function.
 - Larger table.
 - Different chairs?
 - Improve lighting?
6. Control Access
Add counter or half door, etc. at front to control access for safety and to minimize disruptions of staff.

Mapping Area

1. Create a mapping area in the back section
 - Storage units to index and store maps and
 - Lighting for viewing
2. Long-range plan
 - Check floors in map room
 - Replace linoleum

Other Thoughts:

- Drop (false) ceilings in offices – to save/improve on heating/ac/lighting costs
- Complete changeover of lighting fixtures in offices

Mayor: If you'll notice, Council, there's a set of financial statements for OCTOBER, 2006. Are there any questions on those? If you'd like to accept these as having received, we can deal with them tonight. Wayne, do you have any comments on this?

Mr. Hester: No. Everything looks good.

ACTION: On a motion by Wayne Hester, seconded by Brenda Mabe, the OCTOBER financial statements were approved unanimously.

OTHER BUSINESS

ATTACHMENTS:

- ***IF COMPLETED*** PLANNING BOARD MINUTES OF NOVEMBER 7, 2006 - NOT COMPLETED
- RECREATION COMMITTEE MINUTES OF NOVEMBER 2, 2006

PUBLIC SESSION

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

Public Session was opened and closed at 8:01 p.m. with no speakers.

ANNOUNCEMENTS:

Mayor Davis announced that Councilmember Wayne Hester goes into the hospital on 11/22 for his final round of surgery. They will be removing his left kidney. Please remember him in your thoughts and prayers.

- Recycling in Walkertown continues every two weeks.
DECEMBER 11TH AND 26TH (pushed back 1 day due to holiday)
- **Trash Pick-Up** – Due to Thanksgiving and Christmas Holidays, route schedule will change one day later. Waste Industries will not work these holidays but will work the Saturday(s) following the holidays.
- **TOWN COUNCIL MEETINGS:** (4TH THURSDAYS)
7:00 p.m. at the Walkertown Library Auditorium on:
FOURTH THURSDAY
@ 7:00 P.M.
DECEMBER 21– CHANGED CHRISTMAS HOLIDAY
- **PLANNING BOARD MEETINGS:** (1ST TUESDAY)
LIBRARY @ 3:00 P.M.
December 5th
- **RECREATION COMMITTEE MEETINGS:** (AS DESIGNATED)
TOWN HALL @ 6:30 P.M.

MOTION: **TO GO INTO CLOSED SESSION AT 8:03 P.M. FOR**
PURPOSE 143.318.11 (a) (6) – SEE BELOW
BY: **WAYNE HESTER**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

MOTION: **TO RETURN TO REGULAR SESSION AT 8:13 P.M.**
BY: **BRENDA MABE**
SECOND: **RALPH LANDRETH**
VOTE: **MOTION PASSED UNANIMOUSLY**

ADJOURNMENT @ 8:15 P.M.

MOTION: **TO ADJOURN MEETING AT 8:15 P.M.**
BY: **SARAH WELCH**
SECOND: **WAYNE HESTER**
VOTE: **MOTION PASSED UNANIMOUSLY**

ATTEST:

TOWN OF WALKERTOWN:

Lynn McKinnie
Town Clerk

Kenneth R. Davis
Mayor