



Town of Walkertown, North Carolina

Website: townofwalkertown.com

Walkertown Town Council Meeting

Walkertown Library Auditorium

THURSDAY 7:00 P.M. FEBRUARY 28, 2008

DRAFT MINUTES

**TAPE RECORDER DID NOT WORK PROPERLY
SO SOME COMMENTS WERE NOT RECORDED IN DETAIL
DUE TO NOT BEING HEARD ACCURATELY**

The Town Council meeting was called to order at 7:00 p.m. by Mayor Doc Davis. Present were Mayor Davis, Marilyn Martin, Wayne Hester, Randy Mendenhall, and Sarah Welch. Also present were Lynn McKinnie and Attorney Amy Lanning. The audience was packed.

On a motion by Marilyn Martin, seconded by Wayne Hester, the Agenda was unanimously approved as presented.

On a motion by Randy Mendenhall, seconded by Sarah Welch, the Minutes were unanimously approved as presented.

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 7:03 p.m.

1. Harry Boles
2981 Avalee

I just want to talk in general about philosophy and the control, I guess, of our "way of life". You know America has a strong background of individualism, private property rights – and those concepts in our way of life are real strong. In our day and age, it seems like in almost every educational institution that someone comes out of, they are taught, one way or the other, about some kind of community right that's paramount to individual rights. What it comes down to in most instances is that governments, at whatever level – this level, county level, state level, federal level – ends up controlling our lives more and more. And it just keeps creeping – it never stops! Whatever the answer is today, with respect to government, as to how much it's going to control your life – it's going to be multiplied in the future. I would like to ask the council --- when something is proposed to them about people who come out of the institutions that teach people who do planning or advising governments otherwise, who always increase the controls on all of us as individuals in this community – that they take a real strong look at what the impact is, whether it be in loss of liberty; whether it be in increased costs to small businesses; whether it be circumscribing the liberties of churches – or whatever! You may have items on your agenda tonight that you're going to vote on that will have economic impact on your small businesses and I would encourage you to take a look at those from your own experiences. And, just because somebody comes out of a school that's been taught, for example, how to come up with regulations to control community for appearance or other sake, that you use those common experiences and temper them in a way that's just for the community and protects our individual rights. Thank you.

2. Tonja Black
3908 Glen Oak Dr.
Winston-Salem

I just want to introduce myself. I am the Director of Scholastics for the Walkertown Wolfpack. I'm new to the Board. I'm excited to have this community to serve your community. I currently work as clinical research associate, which means that I oversee clinical trials throughout the United States for major pharmaceutical companies. And my role as Scholastics Director is to ensure that the kids of the community learn responsibility and appreciation through academics and become good leaders in this community.

3. Walter Black
3908 Glen Oak Dr.
Winston-Salem

I come as a representative of Walkertown Wolfpack, as well. I'd like to say it's a privilege to speak before you all. I'd like you to know that we hope that we have turned the corner in the organization and that we would like to have the organization as an all-inclusive organization. It truly represents the people of Walkertown. We hope to make the community proud of what we do and we hope that in the long term, Walkertown name will be held up high as the champion – national champion is what our goal is. My background – I'm a graduate of East Forsyth Senior High School, 1980 class. I won the Morehead Scholarship there and also a football scholarship to the University of North Carolina, Chapel Hill, and I have an extensive background in coaching and I'm excited to be a part of this community and I hope to see the children of this community come out and help us to be the best organization in northwest football as well as the best organization in the United States. I hope that we can get your support.

4. Damond Lindel

Thank you for allowing me to share this time with you to go over a little bit of my experience. I'm also here with the Walkertown Wolfpack Youth Football experience. A little bit about me – I'm a Yankee – born in New York originally – but educated in the South! Charlotte Meyers Park – and went to NC State – played football for the Wolfpack – so hence the name really resonates with me. Later, achieved my Master's from Wake Forest University – communications – and I currently work at North Carolina A & T State University. I'm Associate Director of Student Union there. What my hope is, is to bring some of the family experience that I've heard about in Walkertown and through my experiences, I guess, from playing Pop Warner Football to coaching it to coaching college athletics, as well, to try to bring everything, I guess, the total experience to all our youth because, again, if we don't reach them at this level, it'll be hard to talk to them at the higher level so I believe Mr. Tolliver's the one that brought us both in – Mr. Walter Black – and approached me as well to come over and join the program that's moving in the right direction to get on the ground floor to help shape our youth. Thank you.

5. Amy Dolesh
6740 Salem Quarter Rd.

I'm just here to introduce myself. I'm the Secretary for the Walkertown Wolfpack and we are a new Board and we are looking forward to a lot of new changes and exciting year and my husband, Dan, is unable to be here – he's stuck in an airport right now, so he's the President, newly elected. Like I said, we're just really excited about the new year and a whole new support from the town and we look forward to working with you. And my background is full-time mom, part-time at the YMCA, and PTA volunteer.

6. Janet Harris

I am the Treasurer for the Walkertown Wolfpack and I just want to reiterate – we do have a brand new Board. And we do expect a very exciting year this year with the support of the city of Walkertown. A little of my background – I'm currently a full-time student at Winston-Salem State University. I am a junior – 3.2 GPA. I do have a little history in non-profit organization – that with my previous employer which was Local Initiative Support Corporation and we did a lot for the City of Winston-Salem and extended a little beyond and so I do have a little experience in non-profits, which this is what our organization is. We just want to say that it's pretty much for our children. We look at this as something to uplift the children, to make sure that they are involved in athletics, whether it's cheer or football and just to have them some place to go and something to do to

show them that they are cared for and they are loved by someone other than their parents and family. Thank you.

7. Mauro Burrell

I am actually one of the coaches. My occupation is I am Health and Safety Consultant. I'm only trying to clarify one thing. You know, it's kind of football and in some places, it's not the most welcome word because a lot of people either don't understand it or it's not represented as properly as it should be or whatever the case may be. In my particular case, I grew up in it. I grew up in it, around it, most everything – it's everything to me. And, since I expect probably to see very little of you when I leave here ---- I grew up in a children's home and football was my parent. You know, it's deeper for me than it could be for a lot of people but, you know, I'm not here for comparison but what I am here for is --- what I understood as I grew up is that the ---- that team thing, that unity of what this gave me as a youth --- I'm here because I want to see some experience that – its not a big deal here – it's a big deal here now for me because this was my first opportunity as a coach – it just happened to be with Walkertown. And this is my eighth year. Now the one thing that I have noticed since I've been here is that some things have happened between the Walkertown Wolfpack Board of football, of cheerleading, or whatever everyone else wants to call that. Something happened between the different boards and certain things, we kind of lost contact with the city of Walkertown itself. And I'm saying that because I actually just came back from Kernersville. I was recently a coach there. The AD actually was groomed here in Walkertown as an assistant and they asked him to go over to Kernersville and I was honored that he asked me to come over there with him because some of the kids that also left and went there so it was a big thing for me to go over there and I decided to coach under him and I noticed the difference with, for instance, with Kernersville and Walkertown. There was a full support of the city. When Kernersville goes to the bowls or to wherever they go anywhere outside of Kernersville, they are represented by Kernersville. And whether you like football or whatever, you don't have to like anything about Walkertown but if you hear that Walkertown did something good ---- this is your city! You know, it's still Walkertown. And the only thing that I am trying to see is I'm trying to find out ---- and we're trying to solicit any type of advice, from you as a board, to let us know what we need to do. Because we are representative of Walkertown and it's almost kind of like a whether you like it or not thing, by going by the standards of Pop Warner themselves – they hold us to very high standards under Pop Warner rules. And so, you know, with that in mind, we're held to represent properly, in any case, regardless of where we're from – but we are from Walkertown and all we're trying to find out is what exactly can we do? We want to involve the local children here. We want to involve the local businesses as well. We want them to know that it's a big deal on Saturday – that all those cars are not just to aggravate everyone by them trying to pass the library. And the only thing that I've noticed is that somewhere down the line, something didn't work right for somebody and you can almost walk into the local businesses and when you tell them, 'I'm here representing Walkertown. We need a little help for our kids....' Ya da ya da.... And by the time you get past your first paragraph, you're pretty much ignored because something went wrong. So what we're trying to do as a brand new board – and I'm telling you – this changes on an hourly basis here. I'm not even guaranteed – the season hasn't started – I'm not guaranteed a spot on the staff yet. You know, I might not make it all the way through the season. The thing about it is that we are volunteers! And we're volunteering our time to the kids. We don't know these kids. We don't know the parents. We don't know – most of us don't know each other – until this whole thing gets started and then when it's full of blaze, you'll be surprised of the energy that goes on out here with us against Kernersville – with us against Lewisville. And the difference is ... notice when I said Lewisville, or Kernersville, or High Point – they back their people....and it's a big deal when they go home and find out that their kids won. You know, they go back to the local pizza parlor, because, you know, their kids went out and represented in whatever way they needed to. And we're trying to do that – we want to do that! And it is important here because it, it's here! And it's not something we can avoid because until you guys just literally throw us out, you know, we are the Walkertown Wolfpack and we want to represent Walkertown. We don't know if we'll ever see any of these kids again so the parents know that it's our job to represent as properly, you know, as we can. But we need to know what we have to do to do that. Word of mouth is the biggest thing we've got going regardless of how many pieces of paper we put out here for whatever we're trying to do. What we're thinking is, if we come to you and let you know that we are trying, we are trying to set the foundation for a legitimate representation here, with you all, and we're called Walkertown. We want to know what we need to do to get everyone to come out here and say, 'That is our kids. This is still our town.' So what do we need? So that's why we're coming up here. So if you're wondering why we're all

introducing ourselves and what's this, where's this – I don't even know how to – “ambush” of Walkertown, you know, where's this coming from? Well, you know, we are a new board. And we are – we don't know what happened last year. Some of us don't know what happened, you know, yesterday. So, for those of you who might have heard, well, you know, I don't, because of whatever reason, with Walkertown. That's not what we want any more, if that should be the case..... because we, regardless, just like, just like what's been said earlier – they're still children. And, you know, we do set a different type of standard and it's not just about football! It is about the fact that I heard my own kids come and say, you know, 'I'm glad you didn't give up on me.' You, know, three, four or five years ago.....and that's a big thing. Okay. My time is up – but I just wanted you all to know that we weren't up here to let you know that we were, you know, Walkertown was still playing - - because we've been here for years – and now we're trying to let you guys know that we are still here.....

MAYOR:Got any clue how many years?

MR. BURRELL:1957.....I just want to let everybody know that it is a big thing and it is still an important thing. We want everybody to know that we are here. We want to represent you. It's still Walkertown. What do we need to do to make it us? You know, I don't want it to just be a patch of grass.....

MAYOR:You are correct. The time is up!.....

MR. BURRELL:I thank you for it.....

Public Session was closed at 7:23 p.m.

ITEMS FOR DISCUSSION AND/OR ACTION:

1. **PUBLIC HEARING #1**
PRESENTATION AND VOTE
WINSTON-SALEM SIDEWALK & PEDESTRIAN FACILITIES PLAN
.....Presented by Lynda Schwan...City-County Planning Dept.
(PLANNING BOARD RECOMMENDS “APPROVAL”)

DISCUSSION:

MAYOR: We have as a special guest tonight, Lynda Schwan. You'll have to tell me your new position with the Transportation Department. What is that, Lynda?

LYNDA SCHWAN: Starting in January, I became the Bicycle and Pedestrian Coordinator for the Winston-Salem Department of Transportation.

MAYOR: And who was in that job prior to you?

MS. SCHWAN: It's a brand new position. There were quite a few of us who did it, in different departments. I'm going to tell you about the Plan. The Sidewalk and Pedestrian Plan covers the entire MPO for our Department of Transportation, which includes all of Forsyth County, portions of Stokes, Davie, and Davidson County. The Plan covers some basic elements – the sidewalk policies throughout the MPO, facilities data – which includes location, width, material type, conditions, planting strips, ramp locations – that type of detail, our engineering standards, how cities and municipalities construct sidewalks, traffic calming policies, signals, crosswalks, ADA issues – and then, encouragement, education and enforcement – which targets specific age groups, police involvement, inspections, and how to handle vegetation issues. And, finally, we have a section that covers Safe Routes to Schools program, which is a federal initiative to get children to walk to school. There are very specific goals laid out in the plan. Goal One looks at things like how we will reduce sidewalk gap within the MPO, increasing the amount of sidewalk,s crosswalks, and addressing pedestrian safety. Goal Two is to improve the quality of life in future for the existing pedestrian facilities, especially in those areas that suffer from those poor

conditions. Goal Three is to enhance the real and perceived safety issues while addressing pedestrian activity, such as, changing codes and things like that, so that sidewalks are unobstructed. Goal Four is to guarantee that those people and agencies responsible for providing transportation and land use options assume pedestrian considerations in their everyday policies and practices. Example of that would be if NC-DOT needed to come in and improve some road conditions to make sure that they include sidewalks as part of that road improvement. And, then of course, just to basically encourage a healthier lifestyle. Again, we talked specifically for recommendations that NC-DOT is to include sidewalk facilities as the norm in all roadway construction and widening unless it presents an unsafe condition. We also have that proposed sidewalks should connect to existing sidewalks and greenways. We talk about connectivity as being important as part of this plan, especially in, like, commercial developments – making sure that people can get within the developments themselves. Our engineering recommendation eliminate – again, those obstructions in the sidewalk and you’ll see the best examples are in downtown Winston-Salem, where we proved sidewalk dining and people in wheelchairs can’t get by – or we allow newspaper boxes to clutter up our areas right in front of our handicap ramps. We want to make sure that we are coordinating all of our signs and signals with crosswalks so that pedestrians can get across our streets safely. We also have specific recommendations about mid-walk crossings, gray separated crossings, such as bridges or tunnels – traffic calming, parking facilities, how pedestrians can get in and about in parking areas, and, then, how to handle construction in temporary pedestrian access. Of course, for our education enforcement and encouragement, we want to continue to work with our school system, which is the best way to teach children at an early age how to be a good pedestrian; also, working with our police departments and our Department of Motor Vehicles to get the information out; continue to work with our Health Department, Chamber of Commerce to promote and encourage walking within the MPO; and then, of course, to increase enforcement of, and fees for, pedestrian-related laws. In the City of Winston-Salem, if you park on the sidewalk, the maximum fine is \$5.00. Sidewalks are a lot more expensive to replace than that! And, finally, there’s a whole section dedicated to how we fund sidewalks in the MPO. Our state and federal sources, and then, the local municipalities’ obligation for that sidewalk construction. And when we presented the Plan to your Planning Board, they approved the Plan with some additional recommendations for sidewalks. Within Walkertown, the only recommendations we had was from your Area Plan process and your Planning Board didn’t feel that those recommendations went far enough so they asked that they include some more – and those are what were included in your packet – the color coded ones. Any questions?

MAYOR: When can we start? Tell us the process.

MS. SCHWAN: The process.....well, you certainly have Powell Bill funds available to you right now to start doing construction. That will be a process that you work through me to get started and we can work out those finite details. In terms of other funding, we have, like I said, we have federal and state money available. That requires a 20% match by the municipality. So, we would pay 80% for your sidewalk and you would have to kick in an additional 20%. So that’s the type of money that we’re talking about in terms of what’s available.

MAYOR: What governs what we, where we use it?

MS. SCHWAN: Well, typically, we require curb and gutter – and if it’s not there, then it’s going to need to be installed. If there’s no curb and gutter and you have enough room to put it behind a ditch, that’s fine, too. It’s just a matter of safety issues and drainage issues. The other, it’s just a matter of the community developing a prioritization of sidewalk construction projects and getting those to me and then we’ll work through the list. And you do have a representative from the MPO in your municipality and they serve as part of that process of making decisions for what kind of projects get funded throughout the entire MPO. So, make sure that representative here understands what the community wants.

MR. HESTER: So, this 80%/20% - what time frame are you speaking about as far as having this work done, or how long we would have to do it – and would we be the ones to pick out what areas we wanted to do at a certain time?

MS. SCHWAN: We’ll start with that question first. Yes. You develop that prioritization of where you think sidewalks need to be constructed and we’ll work from that list. In terms of when money’s available, we have a “Call for Projects” – we just went through one, about four months ago, for sidewalk constructions, and that was taking us through 2010.... But the good news is, we were just allocated some additional money, so we’re probably going to be having a Call for Projects as soon as our Transportation Advisory Committee decides how it should be spent. So, you could have the funds available fairly soon. And, in terms of time frame that you have to spend it, typically, the state likes to see you spend it within a year. I have a project in Winston-Salem that has been funded for 2 ½ years and I’m still not done. So, you have time. I get extensions for you if you need them.

MR. HESTER: Some of the places that are listed on here are projected to have widening of the highway, a new highway coming through, or something. We definitely would not want to build anything on that within the next year or two, so would the money be available down the road to share that cost of 80\$/20%??

MS. SCHWAN: Yes.

MAYOR: Is there a cap that we would be subject to?

MS. SCHWAN: Ummmmm. However much money I have available at that given time when I have a Call for Projects. I mean, typically, we don’t like to give all the money to one municipality ---

MAYOR:Why??....

MR. HESTER:If it’s Walkertown!!....

MS. SCHWAN:Let me back that up one step --- if nobody else applies for the money and you’re the only municipality that applies for it – you’re gonna get the money!

MAYOR: Well, if we got a priority list in to you next week, would you have it in hand when the Call for Project came? Would that be sufficient?

MS. SCHWAN: You bet! But, I got to tell you, Rural Hall beat you by two days!! They got it to me yesterday --- or two days ago!!! But I keep all the municipalities priority lists and as the Call for Projects come in, I’ll go right down the list with each municipality – make sure we’ve got an application submitted and go from there.

MAYOR: I know how the “*pecking order*” is and I know Larry Williams well – so I know how that works!!! Okay. Council, now’s the time to speak.

MS. MARTIN: (COULD NOT HEAR)Well, we wanted to do the “core” of Walkertown first and.....Main Street.....and maybe the offshoot

streets.....get us more of a walking community.....in the center of town...like all the way to Pine Hall Road.....

MAYOR: We've got some issues under #5 that we will discuss later. If you want to, while Lynda's up, we can talk about it now. As far as the priority list, we were looking at – and this was a suggested priority list –

- Main Street, from New Street to Pine Hall Road. For instance, that would be a connecting through the center of town.
- We were looking at Friendly Road to 311.
- And Morris Street from 311 to Old Hollow Road
- Ruxton Drive to the Whitehall community, which completes that segment
- Darrow Road, from Old Hollow Road to 158
- Martin Street, from Darrow Road to 158, and then
- 158 back to Whitehall – which should give all the way back to join on Old Hollow Road at Darrow Road – where Darrow cuts across.

That pretty well covers the “core” of the facing streets without getting into side streets. Does that sound like something that would be feasible?

MS. SCHWAN: It certainly sounds like something that would be feasible – what we'd need to do – I could come out here and meet with you to kind of walk those streets, get an idea of the conditions, the types of things that we are going to need to do to get those sidewalks constructed. And, we're going to have to look at existing right-of-way to see if we have the room to build them. So, yes, it's certainly doable.

MR. HESTER: So, you could give us an answer before we actually started construction on it?

MS. SCHWAN: Oh, yes. Because there's a lot of work that has to go into it to get approval with NC-DOT --- or, with this money --- before you can build it.

MAYOR: How soon will your schedule allow you to walk those.....?

MR. HESTER:Doc has a flashlight!

MS. SCHWAN: Well, it's not going to be tonight!!! Clearly, I'm not dressed for it!!! I'll get in contact and we'll work something out.

MS. MARTIN: (COULD NOT HEAR)And then all the roads we know are going to be under construction – 66 and possibly 158 – I know it was talked about at the Planning Board meeting, they would like to see sidewalks in these areas, too. But because of construction, it's not feasible to do it to start with so that may be several years, I'm sure.....So, if the money's there, then we can work on it.....

MS. SCHWAN: Right. This specialized money is called SCPDA and it's just an acronym for a type of federal funding that we receive, is available through 2015. And it's available to our MPO because we're one of the few MPOs in the state of North Carolina that has a high enough population so we get this extra chunk of money to spend however we want to. And, again, your Transportation Advisory Committee member is one who helps make that decision so if there's a decision you want that person to make – you want to be talking to him.

MS. MARTIN: And the Town Council would have the final say as to what went on – we'll have the final approval – whatever council is in at that time...

MAYOR: The picture you have behind you shows a sidewalk without a clear space between the street and when this out front was built, it was built without one. What's the standard now? Is that what it is now?

MS. SCHWAN: The standard is that we would like a planting strip between the street and the sidewalk for safety reasons. Where we do not have enough right-of-way, we build right behind the curb. When that happens, we prefer it to be a wider width – not the standard 5-feet – we would prefer a 6-foot wide sidewalk at that point.

MAYOR: So, if it joins the curb, you'd prefer a 6-foot?

MS. SCHWAN: Yes. And I should also mention that we do know that the ADA laws are going to be changing shortly and right now ADA requires a 5-foot wide sidewalk, but they are going to change it to 6-feet.

Mayor Davis opened the PUBLIC HEARING at 7:37 p.m. for the WINSTON-SALEM SIDEWALK AND PEDESTRIAN FACILITIES PLAN. This Plan was approved by the Walkertown Planning Board.

The PUBLIC HEARING was closed at 7:38 p.m. with no speakers.

MOTION: TO APPROVE THE WINSTON-SALEM SIDEWALK AND PEDESTRIAN FACILITIES PLAN AS PRESENTED AND TO INCLUDE THE WALKERTOWN RECOMMENDATIONS
BY: WAYNE HESTER
SECOND: RANDY MENDENHALL
VOTE: MOTION PASSED UNANIMOUSLY

2. **PUBLIC HEARING #2**
PRESENTATION AND VOTE
WA-UDO-9 TEXT AMENDMENT FOR SIGN REGULATIONS

.....Glenn Simmons, City-County Planning Dept.
(PLANNING BOARD RECOMMENDS "APPROVAL")

DISCUSSION:

MR. SIMMONS PRESENTED A SLIDE PROGRAM AS HE SPOKE AND NOT ALL HIS COMMENTS ARE RECORDED DUE TO PERTAINING TO AN INDIVIDUAL SLIDE.

GLENN SIMMONS: I am pinch-hitting for Aaron King. I'll go through the proposed sign ordinance regulations that have been presented to you. I think I'll be able to answer most of your questions. I guess the question is "why are we looking at sign regulations?" And the Legacy Action Plan, which sort of complements the Plan calls for making signs less dominant and more in scale with their context. The existing sign ordinance that you're operating with right now was adopted back in 1985 and that's been working for you fairly well. What's happened across the state and across the country in a lot of locations is that many communities have adopted changing their sign regulations. In North Carolina, particularly, there have been a lot of changes throughout the state. Winston-Salem followed with their changes in the regulations last year and so we're offering you the opportunity to look at this as you please. The idea, of course, is to help Walkertown prevent or reduce sign clutter. I would say right now you don't have a lot of sign clutter; but, on the other hand, you see a lot of new development coming to Walkertown. The question is do you want to get out in front of that with new regulations that would address the potential for maybe excessive signage, or not? Regulate signs so that they are more in scale with

their surroundings and uses that they serve. What we've found in a lot of communities that have dealt with sign issues is that with unbridled signs, size and height, what happens is a lot of businesses begin to compete with each other for larger signs and in ways that begins to almost obscure – just when a lot of sign clutter occurs. Again, we don't see a lot of that in Walkertown particularly, but if you look at other areas around Winston-Salem and Forsyth County, you'll see a lot of sign clutter. Stratford Road is, I guess, the poster child for that. The signs compete for themselves in many ways and oftentimes obscure the businesses that they are portended to point to..... The proposed standard sign size and height that Walkertown is looking at tonight, as recommended by the Planning Board, is to allow for maximum height of new signs to be **6-foot high** – and that's measured from the top of the sign – and **36-square feet**. That's measured by the rectangle drawn around the top of the area of the text on the sign..... Monument signs are typically the kinds of signs, the size and type that might be recommended to you through Special Use District Zoning. For example, the new shopping center up here on corner of Old Hollow Road and Reidsville Road that Glenwood did incorporates sign size and heights consistent with what's been recommended to you tonight. So rather than having to go through Special Use permits of requests and specified conditions for signs, this will be a standard – if you adopt this ordinance – it would apply universally for all new development. I'll talk about existing signs in just a minute – how they conform or don't conform as the case may be. The shopping center sign that you currently have is 15-feet high – the proposed new ordinance calls for 15-foot maximum height for shopping center signs and 100 square feet for copy area – 10 by 10-foot area copy would be on the sign – 15-foot high. Currently, the maximum sign for height and size in Walkertown is 35-foot high – currently, signs can go in up to that height. And maximum copy area 150-square feet - - - so, there's a pretty big difference from what's proposed in this ordinance versus what's allowed currently. It's not always the case, of course, but new business go in put in the maximum sign sizes allowed currently. But you do see some signs out on Old Hollow Road, for example, that (Hardee's, etc.) of that scale so that's what this is about – not to encourage, or to allow more signs of that size..... Proposed ordinance, again – **6-foot high, 36-square feet, more monument-style signs** – and that's basically the standard, except for shopping center signs which have a larger sign area.

There's also a proposal that would prohibit electronic message boards. This is something that some of ya'll may have read in the newspaper in Winston-Salem – there's a big debate about electronic message boards. Currently, in Walkertown, there are none so if you were to prohibit new electronic message boards, then you are not creating a two-tiered situation. Question is whether or not that's important to you. The City of Winston got into a lot of discussion about rate of change, moving message boards, and all that kind of thing, so you can go from one end of the continuing(?) to the other. You can say "no" electronic message boards.... Message boards that are basically uncontrolled that can change at any rate of speed that they want to – something in between. The City of Winston-Salem dealt with changing rates of once per two minutes, I believe, so those kinds of things are at your discretion as well. But the proposal recommended by the Planning Board is to **prohibit electronic message boards** in anticipation that there may be a lot of requests for that in the future and you deal with it today. In that respect, you will not have to deal with that in the future.

MAYOR: Obviously, everything is going with what's most modern. Why would they want to limit that if that seems to be what everybody's going towards? Why would you want to limit that – if that's popular? It's much easier than going out there and changing a bunch of hand signs, if you can type it in and be done with it.

MR. SIMMONS: Well, that's the question before you tonight.....

MAYOR:But.....I mean.....what's the reason behind limiting and eliminating electronic at all?

MR. SIMMONS:Well, I think the visual impacts of electronic signs – I think, the more important consideration is the rate of change. Electronic signs are flashing and blinking and scrolling – it'll grab your attention – which is what they're supposed to do. Some people believe they attract too much attention....

MAYOR:You wouldn'teven.....look back at the road at all.....It just keeps scrolling.....

MR. SIMMONS:Right.....Now, like I say.....well, that's some contention about that.....I guess the jury's still out on the level of safety concerns, but I think if you make the point, for example, gas station signs – they might change the number electronically, rather than going up there and putting the new numbers up - - that has certainly a valid application. A lot of communities have rates of change no more than once per day – I hope the gas prices wouldn't change that quick!!! But, some communities have limited the rate of change to, like, four times per day – where someone could have a morning special – they might advertise for something. But, some folks have it no rate of change. Some people allow unlimited rate of change. But **the proposal that's before you tonight, as recommended by the Planning Board is to prohibit electronic signs** – and that's something you all can discuss. And I'll be glad to help you get to whatever you feel most comfortable in that respect. Another important consideration in this sign ordinance is something called **amortization period**. And what's proposed here is **any existing signs that do not conform to the proposed standard** of some flexibility on that grandfathering consideration **would have to be brought into conformance within a 7-year amortization period of time**. What we've done in looking around the Town of Walkertown is look at a lot of signs. Most of the signs that are here conform in size, many of the signs are taller than the 6-feet and what this amortization section says is that after seven years – or within that 7-year period of time – that these signs would have to be brought into conformance. What that means is that any of these non-conforming signs that are higher than the 6-foot height would have to be lowered to 6-feet within that 7-year time period. There are some signs that are actually larger than the allowance that is proposed for these signs to remain – those signs would have to be replaced with signs that meet the new ordinance. Now, those signs, more than likely are prevalently are the ones out there on Old Hollow Road – like the Hardee's sign and the shopping center sign, etc. But this amortization period is something that, if adopted, would require these non-conforming signs to come into compliance within that period of time. Now, let me mention one thing here – you'll notice there's a 50% allowance on the height and size --- what this says is that if there are signs out there that are larger - existing signs – and there are a few out there that are close, but not exactly 6-feet and 36-square feet --- that those signs would be allowed to be 50% larger than what the new ordinance requires for new signs and they could be three feet higher than what the 6-foot sign allows for new signs. In other words, **any existing sign that is 9-feet in height or lower, and less than 54-square**

feet, would remain (grandfathered) and would not have to be amortized or changed out. So there's an attempt there to provide some flexibility for existing signs that are kind of in that range so they wouldn't be subject to that amortization period.

MAYOR: Now, how do you differentiate between those 15-foot signs you're talking about and those maximum 6-foot?some could be 15...

MR. SIMMONS: It's really the "use" --- the shopping center, by definition is a collection of buildings that are at least 35,000 square feet and has to be at least four different stores. So, anything that meets that definition of shopping center would have that privilege – anything that doesn't meet that definition would be limited to this proposed sign height and size. Well, that's basically it. I am sure you have questions and I will be glad to answer as best I can.

MAYOR: The 7-year amortization period that you described – they would have seven years to comply?..... So the people that have the gas stations, the mini-marts – would they have 7 years to reduce them to.....?

MR. SIMMONS:They would have to bring them into compliance with your standard – whatever that standard is – and what's been proposed is 6-foot high, 36-square feet, within that 7-year period of time. They would be obligated to do that. In some instances that I've mentioned – sometimes something needs to be lowered – the sign is okay size-wise but there are some signs, primarily out, as I've mentioned, on the highway here that would have to be lowered to come into compliance. Again, the whole idea is to have a level playing field so that existing folks have same standard as new development comes into the community.

MAYOR: Not to open another can of worms, but what if the council would like a longer amortization period. Is that possible?

MR. SIMMONS: Absolutely. Seven years is the amortization period that's been fairly well tested in courts, etc. Seven years is not an uncommon period of time for a lot of communities. Some go to ten – some go longer. Some go 15 or 20 years.

MS. MARTIN: When the council actually met with the Planning Board, and we discussed this, I think we started out with maybe five years amortization and the council recommended – or the ones that were present at that meeting at that time, which was several months ago – that we go up to seven years. So this was something that we discussed back and forth and if the rest of the council is not happy with it, we can always go higher.

MR. SIMMONS: Lewisville and Clemmons have gone to a similar kind of sign ordinance revision. I think Lewisville did have five years – Clemmons has a ten year period of amortization – but I'm not certain of those. Winston-Salem, given the complexity of the issues there and the amount of signage to be dealt with – it's kind of a compromise agreement with the Chamber of Commerce and business folks there to have a 20-year amortization period – that's a pretty long period of time. The whole idea of having some period of amortization is that at some point in the future, existing signs will come into compliance so that you have a level playing field with both new development and existing so no one has what might be perceived as an advantage over another, from that aspect.

MAYOR: Who would measure these signs? Is this going to be left up to the town or whatever governing body, is that correct?

MR. SIMMONS: The City-County Inspections office basically does the inspecting..... The way this works in other communities, Durham had a 10-

year amortization period when they went to a sign ordinance similar to this. And what they did, was they notified all the property owners within some period of time after the ordinance was adopted that they would have to come into compliance within some period of time – just to kind of let folks know so they can anticipate the efforts of putting up a new sign to comply to the new standard. But what they found was that when it got close to the wire, after they got a year or two before another notice was sent out, a lot of folks were coming into compliance within the period of time – by the time they got down to that last year, or last day, there weren't that many businesses that were still out of compliance. The idea is to give folks plenty of notice in advance so that they can plan for that and that's why it's called *amortization* – they're able to amortize out whatever the cost of the sign is over a period of time and ideally plan for that and allow for that change to occur in a way that _____ program.

MR. MENDENHALL: With the signs that are over 9-feet; they've got to come down to the 6-foot level?

MR. SIMMONS: That is correct.

But the ones that are 9-feet can stay there? Could the ones taller not just be grandfathered and come down to 9-feet like the rest?

MR. SIMMONS: They could. I mean, that's your prerogative. I mean, anything's on the table for you all to discuss. This proposal has been made to you and recommended to you by the Planning Board. If you wish to say that any existing sign, instead of being brought down to the new standards – if you were to adopt the 6-foot high, 36-square foot sign – you can say, well, it could have the same privilege of being brought down to the standard number that you have other signs – that's certainly your choice.

PUBLIC HEARING was opened at 7:56 p.m.

1. Harry Boles
2981 Avalee St.
Walkertown NC

I found out, I guess, that you had this on the agenda tonight. Really like to see – allow the community have some input on this before you make a vote of this magnitude. This is a very restrictive sign ordinance - probably more restrictive than any other sign ordinance in the county. Certainly, if you go to Greensboro, there are message boards down there that really look nice to me. You know, this is the 21st century. I don't see anything wrong with message boards, quite frankly. This is akin to people that drive Lexus (like me), BMW's, and so forth – coming out into the countryside and deciding what you ought to do with your property. It also has an impact on those people who have to comply with what you're getting ready to impose on these people and this is the control that I'm talking about – that's creeping, and it has real cost – it takes away liberty. It takes away the convenience of the public. Now, I read – and this is not being critical of Glenn and his staff – but you've got a report here before you that reads very nicely. It talks about appearance and all these nice words. I could take and write you a report and concentrate on something that might be more important, like, for example, when my son called me and said, 'After church, how about meeting me at Panera Bread?' I won't say where that was at but it's close by. And I said, 'I haven't been there. Tell me how to get there.' So he told me how to get there. I got on that street – course, there was a median in the center so it restricted where I could turn right and left. I looked over where I thought it was going to be and here's one of these little small signs on a strip center – brand new – hadn't been built but four or five years. I strained my eyes; looked like there was about ten storefronts there. And there were only two names of businesses on there. Didn't say 'Panera'. I thought, 'Well, that's gotta be where I'm going.' So I turn and go in and go through the ten storefronts – and there's no Panera Bread! Then I come out and I decide, 'Okay. How can I get on down further down the road?' And then you've got all the planners for safety purposes and so forth, that restricted my movement. And I had to go back and backtrack where I came and go down again and try again. Now, all that was caused by signage.

If there had been a sign out there with those ten businesses posted, I wouldn't have wasted the gas. I would've gotten to the meeting with my son better. There's another side of this, folks! This is not Cary, North Carolina – this is *Walkertown*, North Carolina!! You have a change of use. Here's a gentleman that's just going through it. He told me while ago it cost him \$10,000. You have somebody who owns a building, has a tenant in it. Or maybe it's a family business. Maybe the family business decides to go out of business and they rent it to somebody. And they had a pawn shop there and now they're going to put offices or something there. Go down to Inspections and you got to do something minor and they find out you're changing from one use to another. Now, all of a sudden you've got to bring the building into compliance. Way before the seven years! Cost that man \$10,000 – what he's going through. Churches are going run into this. Amortization period of seven years? Outrageous!! I don't think there ought to be an amortization period at all! I think signs ought to stay out there, if they're functional and they look good, until they've met their economic life. We haven't had a chance to look at this. It passed the Planning Board one month ago. As far as I know, there's been no workshop – that maybe those people who are going to be impacted by this could have a chance to have input. I think if you bring people in on the workshop, bring your small businesses, your churches, and explain what the impact is going to be, you're going to be shocked at what you get. I would implore the town council not to vote on this – maybe table it for further analysis or study. Hold some kind of workshop – bring people in; find out what they really would like to have happen. Somebody needs to explain the impact of this. And I think you'd be doing the community a much better service than rubber-stamping what comes through, through the origination of the planners, who have gone to certain schools, who are taught "*Control! Control! Control!*" is what this thing is all about. They never use the word "*liberty*". They never use the words "*Individual rights*". They never use the words "*Property rights*". You've read 1984? It's creeping. I'm not saying this is equivalent to 1984, but what I'm saying is, that when you add up all these things that governments vote on - - - you're getting closer and closer and it becomes **cumulative(?)** and I would ask you not to take away the rights of businesses and churches, impose economic burdens on them, without at least giving them a fair chance to know you're doing it and get input from them. Thank you.

MS. MARTIN: Peggy, as chairman of the Planning Board – how many meetings did we have at that time that were advertised and that people knew about, about the signs? We had several, I know, because we did so many changes on it - - - - - That's what I thought. Three different public hearings were held before this came to the Planning Board – all advertised – so it wasn't like we were just trying to slip it in on everyone. We did do it correctly. We made many changes – because we wanted it to be Walkertown's plan – not Forsyth County's plan. And I'm not saying pass it or not pass it – but what I'm saying is a lot of work has been done on it and that Walkertown did not rubberstamp what the county told them to do.

PUBLIC HEARING was closed at 8:05 p.m.

MAYOR: We will consider the questions at hand here – the WA-UDO-9 Text Amendment for Sign Regulations. We've all had it. We've read it. We've looked over it. What are your thoughts?

MR. MENDENHALL: I'd like to see the electronic message sign changed – put a limit on how many times a day - once an hour

MAYOR:That does bring up another, as Glenn mentioned, that opens a new area that you can limit or not limit – or if you choose, limit so much, so many times an hour. At the present, as it's proposed, it prohibits electronic signs. Randy is saying he would like to see electronic signs of some nature included to be allowed, is that right?

MR. MENDENHALL: Yes.

MAYOR: Okay. That's one change that you're asking for. Anybody else got a comment on that?

MR. HESTER: And you are asking that the signs that are electronic, Randy, would be limited to the size limitations that we are speaking of?

MR. MENDENHALL: Yeah. I don't have a problem with the size limitations.

MR. HESTER: Okay. And one other thing – we have a lot of small businesses in Walkertown. We don't have any signs like you say, that are really prohibited as far as blocking scenery, blocking traffic, or anything like that... the larger signs. And some of them are local people that put these signs up years ago. They figured on using them for their lifetime. And, at one time when we were talking, it was recommended that the council would have the right to “grandfather” those signs with no amortization on it...that they could keep them as long as they were in business. And I would like to see that put back into it.

MAYOR: Did I understand you correctly..... ? You would like to grandfather existing signs? Is that what you're saying?

MR. HESTER: Right.

MR. MENDENHALL: Eliminate that for them.....

MR. HESTER: But the council would have the right to do that.

MS. MARTIN: Glenn, are there that many signs in Walkertown that are out of compliance with this now, other than the larger service stations?

MR. SIMMONS: There are a lot of signs that meet the allowed 50% extra height and area. There are a lot of signs out there that are taller than the 6-foot and are taller than the 9-foot.....

MS. MARTIN:The old shopping center.....

MR. SIMMONS:Right. Well, that's really too tall and too big. What it would say about the shopping center, if this ordinance were adopted the way it is presented to you, is that the shopping center would have to bring that sign down in seven years and make it conform to the 15-foot height and the 100-foot area, like the one that was done by Glenwood. Now, just for clarity, if someone has an existing sign, and they want to change out the panels in the sign, the plastic panels – take that out and put a new panel in – and the sign itself doesn't change – or someone is changing a panel in the shopping centerthose things, as it's written in this ordinance, don't trigger a changing of the sign. But, still, they would have to bring it into compliance within 7 years if you adopt that amortization period; and of course, you don't need to adopt it at all if you choose not to. But, primarily it would affect the really large signs. Like I say, there aren't that many signs in Walkertown that are that much out of compliance or out of standard so you don't have the same issues as some communities might have with a lot of signs – but there are some out there, certainly, that will fall into that category.

MR. MENDENHALL: If we didn't adopt the amortization period, but they decided to change their sign 12 years from now, then they would have to come into compliance.

MR. SIMMONS: If a sign comes down and a new sign goes in, it would have to comply with the new standard, whatever the standard is that you set.

MS. MARTIN: I think one thing at these meetings that was brought up was the fact of Stratford Road – did we want that look here? And while we are just now developing because of sewer and different things coming in, the main reason for this was to restrict some of the newer stuff coming in and have it fall into place and have a more unified look in the town.

MR. HESTER: That would be good. And then the people who we are talking about – like the local signs – and some of them I'm thinking about, you almost have to be looking for them anyway, but they may be 20-25 feet high – of

course, not quite as high as that BP station you were showing us there. But it's not really that prohibitive either. And then some of the local people that have their own sign up – they're helpful for people to find them, but yet they're not blocking anything. So if we prohibit these signs from new ones going in so that there will not be an influx of it, then the ones that we have, I don't think are really hurting anything that much to keep them, if we want to.

MAYOR: Are you suggesting not distinguishing between any of them.....just grandfather what is there, is that what I hear you saying?

MR. HESTER: I would say leave them as long as it's the local business – or the business that has it right now – if the business changes, then the sign comes down and the new people would have to be in compliance with the sign ordinance. We would not be forcing anyone to take the sign down and go to the expense of putting up a new sign.....at this time or 7 years from now, or 10 years from now, whatever!

MAYOR: Glenn, how could we mesh all these thoughts together?

MR. SIMMONS: Well, so far, I've only heard two changes to the proposal.

One is:

- To allow for electronic message signs, if I understood it correctly, with a rate of change of once per hour. On that basis, that's a simple change and I think we all have it in the meeting minutes and that could be adjusted into the ordinance.

The other is:

- To do away with the 7-year amortization – or any amortization period – altogether. And that would allow all the existing signs in the community as they are today, to remain for their useful life and then when they are replaced, any new sign would have to conform.

Those are the only two changes – I mean, you may have other changes; but, I'm just saying, giving those two things, it could even be handled through the meeting minutes to make those two changes in the ordinance and get it back to you.

MAYOR: Are there any more changes? What's council's feeling? Is there a motion with these two changes....is there no motion?

MS. WELCH: Haven't we already had two workshops, one with the Planning Board and one with the council?

MAYOR: Yes, ma'am.

MS. MARTIN:We've had three.....

MS. WELCH: We had several people who came to the council meeting, right?

MAYOR: Yes, ma'am.

MS. WELCH: I don't know whether we advertised them enough, but, I do know those two, and I went to both of them.

AMY LANNING: Can I ask for a little bit of clarification if you do work off the minutes to make those changes? I just want to be clear on what Glenn said about not having the amortization period. But then you went on to say something about, if the business was sold, or

MR. HESTER:The name it.....

MS. LANNING:I think you have to be careful and specific..... about that.....if it.....when it was sold to a third party, or leased, or Lynn brought up a good point, what if it passes down to a related family member, and I

think you need to be really careful about if you're going toI don't know if you can't have that in another place.....

MR. SIMMONS:The best way.....I think the best way to address that would be without an amortization provision, then what would happen is that it would be a change of use. In other words, if someone sells the store to someone else, and there's no change the use, then there

..... It's just like a non-conforming use. The think that would trigger it, is if the existing sign were to come down and a new sign were to go up – or a change of use. If a business changed from a drugstore to a restaurant, even though the sign frame may remain, if I understand it correctly, and I think it's correct, that the change of use would also trigger a conformance of the sign.

MR. HESTER: Correct! Right! If they change the use of the building, or the name of the business, then the sign would have to come down and would have to meet the compliance.....

MAYOR:You added..... name..... so you're saying, change the use or ownership, then, or name.....??

MR. HESTER:Correct.....

MR. SIMMONS:That would be important.....to make that distinction because, right now, without amortization, the way it would be is only the change of use would trigger a new sign. A change of name – if all they're doing is changing out a panel on the sign, then that change of name would *not* trigger the sign having to fall into conformance. Now, what you're talking about is what Clemmons has – Clemmons says any change to the sign – change of name would trigger.....

MR. HESTER:That's.....what I would.....That's what I want.....

MS. LANNING:Change of name would be like when Eckerd's changed to Rite-Aid.....

MR. HESTER:Right.....Right.....Or if you have XYZ Company and they close, and the company that comes in is ABC Company. They want to use the same sign ---- NO. The sign that's out of compliance would have to be taken down – a new sign put in that would need to comply.

MR. SIMMONS:Making a Between change of name and change of the, say, Wachovia, for example, went to a new logo – and they changed their sign to put the new logo – It's still says Wachovia, but the sign has changed. You're not talking about that kind of change???

MR. HESTER: No.

MR. SIMMONS: You're not talking about that kind of change? You're talking about the change of the name of the business.....

MR. HESTER: Wachovia change to Bull Bank, or whatever ---- then they would have to change the sign!!

MAYOR: Are you.....think you can construct that, Glenn? What they're saying? What the council has come up with?

MR. SIMMONS: Yes, sir!.....

MAYOR: So far, we've got – I don't know if it's two or three changes.....

- The first was to allow electronic signs to be changed no more than once per hour. I believe that's what he said. Is that correct?
- The second was to – the first was talking "grandfather" but then we just said eliminate the amortization period.

MR. SIMMONS: What we would do in that case would be just basically take out the whole section on amortization and it just wouldn't exist. All existing signs would remain.

MAYOR: There should be – somewhere – a note of explanation of what the threshold is..... is it a change of use? Is it a change of name? Is it a change of ownership? There's got to be some kind of wording, has it not?

MR. HESTER: All of the above.....

MR. MENDENHALL: What if we put down as change of use, ownership, or any improvements to the sign would need to be brought into compliance.

MR. SIMMONS: Okay. So, that broadens it pretty substantially. What that would say to me is that any mention of change of ownership, for example, if some business changed ownership, that would also trigger – even if everything else stayed the same.

MR. MENDENHALL: Well, if we did that and they knew that up front, that wouldn't be a cost that they didn't plan on incurring.

MR. SIMMONS: So....you're saying.....any change to the sign or change of use or change of ownership would trigger the sign change.

MS. LANNING:I think you want to be careful. You got to consider that people do changes in ownership, just in title only, for a number of reasons, that may not actually change. The people who are running the business – they may just decide to transfer, do a different kind of business(?) or something like that.

MAYOR: If they decide to incorporate, it would be a change of name. If they decide to become an LLC, it would be change of name – ownership.

MR. SIMMONS: I think you bring up a good point – a lot of these type of changes don't require new permits from the Inspections office. Really, what I think I hear you saying is anything that would cause a new permit to have to be issued – a new certificate of occupancy, or some new change of use, or change of the sign itself.

MAYOR: Sounds like the change of ownership probably is not what we want in there.

MR. SIMMONS: I think that adds complication that makes it difficult for Inspections to enforce because you don't know when the name changes, assuming everything else remains the same. It could be just a technical change in the form of the ownership from the corporation to another entity or something.

MAYOR: Could the council live with if it's a change in use or of a physical change to the sign? The wind blew the old one over, for instance. Is that what really we're trying to get at? Is that the end result, the change of use?

MS. MARTIN: I would think the change of use.....

MR. HESTER:I would think so.....That give the....

MAYOR:If a son takes over the father's business, and continues to run it in the same name, it wouldn't change anything. The sign would stay the same.

MR. SIMMONS: What there are provisions in here for example now is if a car runs into a sign, knocks it down, the sign can be replaced – that doesn't trigger a change. Or if it gets blown down by wind, or something like that, I guess the question is, there are provisions in there now that allow the sign to be replaced on that basis, and I guess the question, do you want to keep that provision in there?

MAYOR: The sign would be replaced to what level? To the old standards.....or to the new?

MR. SIMMONS: To the old standard.

MAYOR: Looked like to me, that would be the time to bring them into.....

MR. HESTER:I would say, if the sign has to be replaced, replace it with the new ordinance!

MAYOR:The new sign.....a conforming sign.

MR. HESTER:New Sign!.....A conforming sign.

MR. SIMMONS:Regardless of circumstance?

MR. HESTER: ..Right. If it gets knocked down, the wind blows it down..... Right.....Regardless of the circumstance....

MR. SIMMONS: Regardless of circumstance.

MAYOR: Careful, now. When you say “*regardless of the circumstances*” that’s a broad brush!

MR. SIMMONS: Well. It says change of use or any physical change to the sign. What I’m saying, on that basis, is *regardless of circumstances*. Any change – any physical change to the sign --- sign gets blown down – sign face changes – name on sign changes – any change to the sign, if I’m hearing you correctly, will trigger the sign being brought into compliance.

MR. HESTER: Right. My “grandfathering” request was that the sign, as is, but if there’s any change on it, then it reverts back to the new ordinance.

MR. SIMMONS: I think that’s clear to me, but you might need to consult with your attorney to make sure. But I think in the meeting minutes, we can come up with language to address this.

MS. LANNING: I just want you to reiterate one more time – exactly what you want just to make sure we’re on the same page and that Lynn has it down good.

MAYOR: If I understand it correctly then, the changes would be:

1. To allow electronic signs. Message to be changed no more often than once per hour.

MR. SIMMONS: When you say “message to be changed” what you are talking about is one static image message to another static image message – because you could say that message doesn’t change more than once an hour and you could have a scrolling message with the same message and that changes once an hour. So, if I understand you correctly, what you’re saying is to have a static sign that would be there for an hour and could then change to another static sign that would remain for another hour. Is that.....???

MAYOR: Course – no doubt about it – that eliminates all temperature signs because temperatures are going to change.....

MR. SIMMONS: That’s separate in the ordinance!!! Time and temperature signs are not regulated by that part of the ordinance!!!

MAYOR: Okay – electronic signs and the wording would be that:

1. To allow electronic signs with the message to be static for at least a period of one hour.

MAYOR: Is that what you’re saying?

MR. SIMMONS: I think that’s what you’re saying, yes, sir!!!

MAYOR: I mean, is that the way you think the wording should be.

MR. SIMMONS: I’m not saying what you all are saying. And what you want to say is that there could be a static image – and it’s not a moving image – but a static image to remain as long as it wants to remain but could change no faster

than once per hour – static image. It could say, you know, ‘Daily special is Roses for \$24.00’ and that image could be there for one hour – say that and it couldn’t say anything else – and then another image could come up that says, ‘Something else for something else’ --- and that could remain for as long as it wants to, but can’t change any faster than an hour – if I’m hearing you right.

MAYOR: So, when this Wolfpack group comes on line here and they get all these messages, they couldn’t have ‘Food Lion’ one hour when the cameras fan like they do on the TV, they couldn’t do that, right? They’d have to keep it up for at least an hour, if down here in the stadium, when they get that advanced? That is going to come, right? Yeah yeah..... But what you’re saying is it would be a static, non-changing for at least one hour? Is that.... what.... we’re all.....

MR. SIMMONS:That would.....be.....one way of stating what I believe you all are wanting to get to.

MAYOR: Okay.

LYNN: Is that where the sign will be going
“wolfpack!!” wolfpack!!” wolfpack!!!”

all the time?

MS. LANNING: That’s what I was wondering, too.

MR. SIMMONS: No. That’s what I was trying to say – it’s a *static* image – I’m not saying the same image blinking at you. I’m saying a static image that does not change for an hour.

MAYOR: A *static* image wouldn’t blink. No blinking!!! Okay. Is this what council wants on the electronic portion of this?

[COUNCIL AGREED ALL THE WAY AROUND]

MR. MENDENHALL: Is everybody okay with the hour?

MAYOR: Is an hour long enough? Too long?

DISCUSSION ENSUED AMONG THE COUNCILMEMBERS AS TO THE TIME LIMIT FOR THE STATIC IMAGE WITH VARIOUS AMOUNTS OF TIME BEING BANDIED ABOUT.

MAYOR: All right. We are now looking at the electronic signs...**the image on the sign can change as often as every five (5) minutes.** Is that correct, Council? Is that okay with everyone? The electronic signs are permissible, they’re no longer prohibited and the **static wording on the sign can change as often as every five (5) minutes.** Is that okay?

[COUNCIL AGREED ALL THE WAY AROUND]

MAYOR: The second portion of this – the grandfathering, or the eliminating the amortization period altogether – is slightly more complicated. We’re saying to eliminate amortization period and a sign would be conforming once there is a change of use or a change of sign ---- is that the way that should read, Glenn? Is that what we’re trying to say? What we’re trying to say is if the sign has to be changed, it has to be made to conform.

MR. SIMMONS: Well, basically, what you are doing is you are **eliminating amortization for existing signs**.....

MR. HESTER:for existing signs.....

MR. SIMMONS:and, basically, **existing signs can remain as long as they can stand**.....

MR. HESTER:until the sign is changed!!.....

MR. SIMMONS:**until the sign is changed** ---- and I also heard **change of use**, which, would ordinarily result in the change of the sign --- If the change of use is usually a different message goes up on the sign, but if you

want to be clear about that, I would say **change of use and physical change to the sign**. And that's the kind of thing that Inspections – they would have to permit a new sign and they could deal with that change of sign or – they would also have to permit a change of use. That would be the way they would know about a change to the sign. It would be an easy way for them to enforce that provision, assuming that's what you all want.

MAYOR: I suppose then, we see a lot of these around town – these flashing lights with an arrow, does that eliminate all of those? I guess it would.

MR. SIMMONS: They're illegal now! If somebody complained about them, they couldn't remain there. An existing sign, if it's flashing or blinking, the sign itself may remain, but the blinking part can't remain. It's not legal now. I will mention also, real quickly, that most all ordinances – sign ordinances included – are dealt with primarily on a "complaint" basis. A change of use and so forth would trigger change of the sign, but if there's an illegal sign out there, it'll be there until someone complains about it. Inspections Department does not go out and look for violation – it's only after someone complains about it. I will just mention also, that there are signs now that are often very common – like banners, for example. They're not permitted under current ordinance. This new ordinance actually allows banners for churches and non-profits, and things like that. So, in some sense, this new ordinance is more permissive – in that respect, it acknowledges that a lot of folks want to have signs of that nature. But, in the same token, it limits the size and duration and things like that.

MAYOR: Any other changes that the council's proposing? Are you ready to make a decision? Are you ready to put it off.....or what are you ready to do? What is the council's feeling?

MOTION: TO APPROVE WA-UDO-9 TEXT AMENDMENT FOR SIGN REGULATIONS WITH TWO CHANGES OF
1. ELIMINATING THE AMORTIZATION PERIOD FOR "EXISTING" SIGNS UNTIL SUCH TIME AS THE SIGN STRUCTURE IS CHANGED FOR ANY REASON, AND
2. ALLOWING ELECTRONIC SIGNS WITH STATIC IMAGE WHICH CAN CHANGE AS OFTEN AS EVERY FIVE (5) MINUTES
BY: RANDY MENDENHALL
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

MAYOR: Okay. So everybody that's got a sign today will not have to move that sign – won't have to change it, is that correct? We won't have to hear anything from the current sign owners, right?

MR. SIMMONS:Until they change it!!!

3. PUBLIC HEARING #3
PRESENTATION AND VOTE
WA-033 – WILLIAM GRUBBS ET AL
TO AMEND ZONING MAP TO ADD USAGES
(PLANNING BOARD RECOMMENDS "APPROVAL")

DISCUSSION:

MR. SIMMONS: This is a pretty straight-forward zoning change that's before you this evening. It's a petition by William M. Grubbs and Virginia G. Grubbs. Proposal is to change the usage for property that's already zoned HB-S to **HB-S with two new uses**. And I'll mention what they are in just a second. Location is the southwest corner of Old Hollow Road and Morris Street. It's .39 acres in size. You can see the location of the property on south side of Old Hollow Road at the intersection of Morris Street. The aerial photo of the site showing the existing building and the parking lot, which is not proposed to change. There's no change in the site plan, other than bring it in to compliance to meet the streetyard requirements that have been in place for some time on this property. I don't know all the details, but Aaron briefed me on it before I came over here today and I guess there's an existing sign between the right-of-way, the petitioner has agreed to either move out of the right-of-way or eliminate altogether. And, also, there's a planting strip along the front of the property that complies with street standards of planting – it all complies but those two changes.

MAYOR: What was the second change again?

MR. SIMMONS: The streetyard ---- let me back up here a second --- If I understand it, the pavement goes all the way out here to the street – I think he's already put the streetyard in, and that brings it into compliance with what he needed to do previously, so there's really nothing new about this proposal that causes him to change anything that's already out on the site. The only change is to add two new uses. And this request is to add Restaurant without Drive-Through – the new use is not currently allowed. As you all know, Special Use Zoning, which is what this is, previously was approved for the site plan as you see, with a list of uses. He wants to add two new uses that he currently does not have and that's what this whole thing is about.

He wants to add:

- **Restaurant without Drive-Through**, and also
- **Furniture and Home Furnishings Store**

He wants to remove:

- **Neighborhood Church**

which is a use that is in there now but he doesn't have any need for so he's in the process of eliminating that use. So all the previously approved uses, plus these two new uses is what this request is about. Nothing else changes! The site plan doesn't change....the zoning doesn't change, except for those two new additional uses. As I mentioned, the sign, the bufferyard issue – that's been resolved. At the February 5th Planning Board Public Hearing, there was no opposition. The petitioner did speak in support and answer questions about the request. The Planning Board recommended approval of this request, with conditions, unanimously. I will try to answer any questions.

PUBLIC HEARING was opened at 8:35 p.m.

1. Bill Grubbs
4200 Camp Betty Hastings Rd.
Walkertown

The only thing that I would like to add to what he said was the sign has been taken down and the streetyard has been moved. That was the two conditions. That's been taken care of. And I'm here, of course, to ask you to consider approval like the Planning Board did. Your consideration would be greatly appreciated. And if you have any questions, I'll try to answer them.

PUBLIC HEARING was closed at 8:37 p.m.

**MOTION: TO APPROVE WA-033 WILLIAM GRUBBS ET AL
TO AMEND ZONING MAP TO ADD USAGES:
(1) RESTAURANT WITHOUT DRIVE-THROUGH,
(2) FURNITURE AND HOME FURNISHINGS STORE**
BY: WAYNE HESTER
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

4. **PUBLIC HEARING #4**
PRESENTATION AND VOTE
WA-009 – BOJANGLES RESTAURANT
FINAL DEVELOPMENT PLAN FOR RESTAURANT
(PLANNING BOARD RECOMMENDS "APPROVAL")

DISCUSSION:

MR. SIMMONS: This is a straight forward Final Development Plan request – zoning is already in place but it requires a site plan approval to put this use on property that's already previously zoned for this use. It's a Final Development Plan for Bojangles Restaurant, location is on the southside of NC-66, east of US-158; it's 1.18 acres. You all know the location here – on the southside of 66. This is basically a vacant parcel of land that was sub-divided and approved for Highway Business zoning some time back. So, now they're bringing in what's called the Second Phase of a Two-Phase Special Use zoning plan where they bring the site plan. The site plan needs to meet all the conditions of the original approval in terms of the – all the things that may be required for sign size and so forth, which, usually, you have to specify the sign size, for example. And also be sure it meets all the circulation consideration, be sure it's safe and operational getting in and out of the property. It's been through an inter-departmental review with NC-DOT and Inspections Department and all the folks who look at the site plans. Again, the location ya'll are familiar with. The shady area is part of the zoning petition that was approved at least a couple of years ago. This is one parcel of one portion of that previously approved zoning that is under consideration this evening. This is the site plan – you'll notice that there is no direct access off of 66. Access comes in a little private drive here. It's pretty much a standard kind of Bojangles Restaurant. There's nothing unusual or really different about this. It meets all the ordinance requirements with respect to all the initial setback requirements and all the parking requirements and all the access considerations. This is a building elevation that Bojangles submitted with the plan and it's a combination of brick and stucco material. There is no requirement as part of this zoning that it meet any special architectural standards, unlike the shopping center, for example, which had to meet a certain – had to be the same brick. At the Planning Board meeting, there was no opposition and the Planning Board recommended approval 5 to 0. And one of the conditions that they asked for, since the petitioner volunteered to show the building elevation, is that the proposed building shall be constructed in substantial conformance with the

volunteered building elevations, labeled Exhibit A. And I think you have a copy of the building elevations. That's all.

MAYOR: If I understand correctly, there is no egress into from Old Hollow Road, is that correct?All of it is from inside the shopping center area?

MR. SIMMONS: That's correct..... That's right.

MAYOR: We'll have the Public Hearing, but, I guess, Ms. Martin, you would probably want to disqualify yourself since your husband has coerced you to hurry up and get this place in here. He's wanting one of those Bojangles biscuits so bad!! If there's no questions for Glenn, we'll have the Public Hearing.

PUBLIC HEARING was opened at 8:41 p.m.

1. Claude Clark

Bojangles Representative out of Charlotte

I am with Bojangles out of Charlotte, North Carolina. I am just here to answer any questions and we'll try as quickly as possible to get her her biscuits! We would hope, with your approval here tonight, we would be looking at somewhere around 4 months to be here. We'll have you ready before the football season! This is a company owned store. It is brick and stucco and I have a color picture of what the majority of Bojangles looks like.

2. Harry Boles

2981 Avalee

I'm not necessarily speaking "against" but I have a question and I may have a negative comment. Along Highway 66, will there be curb and guttering there – and a sidewalk? On the site plan, I haven't seen it.

MAYOR: I can't see it that well. Glenn, can you address this for us? Very good question.

MR. BOLES: While he's checking that out, let me tell you why I asked the question. I appeared in front of the town council after the shopping center was approved. Other members were on this council at that time. And I asked, what about curb and gutter....and sidewalks....and I was castigated. The answer was, 'Yes, of course. We're going to have that.' Now, that shopping center developer over there has not done this town a favor in terms of appearance. Now, you were focused on appearance with signage while ago but I want you to take a look at the Sheetz station and the lack of curb and gutter there on the corner and the lack of landscaping. There's none there whatsoever from the road. And once you get down inside, they had no choice but to landscape on that more than 45° slope going down into that cut. Now, you know, being a long-standing member of this community, I would've thought that we would've tried to have development at that intersection – kind of like a *gateway* to this community – and have upscale landscaping, curb and guttering, and sidewalks. At one of the meetings that occurred for some other zoning up there, where the town council was invited, I asked the developer – Glenwood rep – about curb and guttering... and he turned around and walked away from me! He didn't want to talk to me about it. It seems like to me that we ought to – you're talking about sidewalks tonight on another agenda item – at other meetings you've had, you've dealt with sidewalks and curb and guttering – and here, I believe, you've got a plan that doesn't require any of that! Now, is that right?

MAYOR: Well, let me look here a minute. I was thinking it did, but I could be wrong.

MS. WELCH: It's in here. It's in the.....

MR. HESTER:It's on all new ones...had to.....

MS. WELCH:Right after City-County Planning, the next page – Planned Road Improvement.....

MR. MENDENHALL:Planned Road Improvements..... *The Thoroughfare Plan recommends that Old Hollow Road be constructed as a three-lane cross-section with curb and gutter and sidewalks.....*

MR. BOLES: So there will be curb and gutter and sidewalks on the plan?

MS. WELCH: That's what it says in here.....

MR. BOLES: And the other thing I'd bring up and I'll quit here a moment..... Is the landscaping itself. I wonder if the town council might ask the representative from Bojangles, will it do quality landscaping there, and not leave us a site from 66 that looks like Sheetz service station? And looks like the entire frontage of the shopping center – the whole frontage of that shopping center is not very attractive, and I'd hope we wouldn't end up with the same kind of development on the Bojangles site that we've got on that entire shopping center! We've really lost an opportunity there! Thank you.

MAYOR: Yeah, I do see – to address the question brought up by Harry, that is a good question – the 3-lane cross section with curb and guttering and sidewalks. I'm assuming --- Glenn, is that just for the thoroughfare, though, that does not mean Old Hollow Road?

MR. SIMMONS:As part of the condition for the 1st phase of the development, curb and gutter was required on internal streets [COULD NOT HEAR THE REST OF HIS STATEMENT]

MAYOR:I just want to know – why wouldn't it have it? It looks like that would be as important, more important there, as it would on the outside.

MR. SIMMONS:Well..... I.....can't speak to the "whys" portion of this discussion but I can't say I disagree with you on that. I will say that probably want to look at the drainage considerations – be sure there's no reason why it can't be dealt with, with curb and gutter. But if I understand you correctly, what's missing from curb and gutter.....[COULD NOT HEAR THE REST OF HIS STATEMENT]

MAYOR: Yeah. That looks like to me – all. I read this to mean that the Old Hollow Road but then I see it says "thoroughfare" which means just the inside. I see that now. It does not have Old Hollow Road.

MS. WELCH:*Recommends that Old Hollow be constructed...*

MAYOR: Yes, it does! The Thoroughfare Plan – but then, it says Old Hollow Road --- so it would have it also. *Recommends that Old Hollow Road be constructed.....*

MR. SIMMONS: Is that a condition, of the approval?

MS. WELCH: No.

MAYOR: Planned Road Improvements – that's what it says here, yeah.

MR. SIMMONS: You're looking at the site plan?

MAYOR: I'm looking at this.....Site Access and Transportation Information sheet.....

MS. MARTIN:City-County Planning Board Staff Report.....

MAYOR:That came from theCity-County Planning Board Staff Report.....

MR. HESTER: Yep. *The Thoroughfare Plan recommends that Old Hollow Road be constructed as a three-lane cross-section with curb and gutter and sidewalks.....*

MR. SIMMONS: Well, if it's a *recommendation* – it's not a *condition* unless you all make it a condition.

MAYOR: How do we know the difference between a "recommendation" and a "condition" then because I don't see any.....

MR. SIMMONS: If you'll look at OTHER REQUIREMENTS you'll see a list of written conditions that talk about, for example, the free-standing signage shall be a monument type, maximum six-feet high. In this case it says, *Electronic message signs shall be prohibited*. And it also lights they talk about but that's the only additional conditions as part of this site plan. If you all choose to require curb and gutter, you'll have to make an additional condition and the petitioner would have to agree to that additional condition. And, also, just coming on the heels of what we've discussed about signage, the city wants to allow electronic signs according to the new ordinance you just adopted. This prohibits electronic signs so you would have to remove that condition unless you want this particular business not to have the same privilege that you are according to others in the community.

MR. HESTER: I thought the motion tonight would do away with that – prohibiting electronic signs anyway.

MR. MENDENHALL: Not if it's got it on the.....

MS. MARTIN: But, Glenn, this says the thoroughfare – it says, Planned Road Improvements and then it says *The Thoroughfare Plan recommends that Old Hollow Road be constructed as a three-lane cross-section with curb and gutter and sidewalks.....* And that sounds to me like that that's a condition.

MR. MENDENHALL: That was just a recommendation – and not a condition.

MAYOR: So, all these others are the same way?

MR. HESTER: Hmmmm. I don't see anywhere on here it says "recommendation".

MR. SIMMONS: I do have a clarification for you. When this particular site plan was approved – the first phase of the site plan was approved by the County, the County Commissioners did not require curb and gutter along Highway 66. It did require curb and gutter on interior streets. So unless you want curb and gutter along Highway 66, unless you don't want it - you'll have to make it a condition that the developer put curb and gutter in and he would have to agree to do that as a condition for approval, it that's your wish.

MAYOR: Well, how about the one right above that – no access to Old Hollow Road.... Is that just a recommendation, also?

MR. SIMMONS: That would be a condition of NC-DOT. That is part of the original site plan approval. There would be no direct access to 66. The site plan that you're looking at governs this development and the only thing that's missing on this site plan, as I'm seeing it, that you might be interested in requiring, would be curb and gutter from here to the end of the property line. But you would have to make that a written requested condition and the petitioner would have to agree to that as a condition for approval, if you think it's very important to you. Petitioner want to volunteer that??

MS. WELCH: Wouldn't that be up to Mr. Hennigan to do that? He has to put in the turn lanes.

MR. CLARK (?): I hope you all have a whole complete set of site plans – if you go into the grading schedule and the utility plans for the site, the elevation changed from the street level to the side that we’re going to be at. It’s such a great elevation change that that whole site would have to be brought up to street level to be able to put curb and gutter out on the highway. I can’t curb and gutter inside my site because I can change the elevation before it – but to be able to do that, and get the falls and stuff that are required by the state for the curb and gutter, that whole piece of property would have to be brought up to street level. And then that affects all of the water run-off throughout the rest of the area, which I can’t speak to. I don’t have anything to do with the rest of the development out there, but we actually worked with them for a period of time because we had to bring ours up within two foot – I think is what it was – because of just getting grade the way it was. To go out to the street, we would have to go all the way up to street level and it would be prohibitive for the rest of their development to be able to do that – at this point, to go back and put the curb and gutter out on Old Hollow Road. If it goes on down Old Hollow Road, you know, if you go in there and do it all the way down and take it way on down the road and tie it into a connection down there, I can’t do that unless the state gives me right-of-way or something like that. I can’t go off my property and do it.

MAYOR: Glenn, while this gentleman’s here, tell us what this – according to what you’re saying here, it was a recommendation – this gentleman says it is impossible to do. Tell us where we are – is this between a rock and a hard place?

MR. SIMMONS: Well, not knowing all the details of the site, I can’t say for certain, but I think he makes a valid point. If you put curb and gutter in one place, you really need to extend it all the way down to the next place where you have curb and gutter to keep all that drainage in the street.....

MAYOR:Sure.....You can’t just dump the water at then end of his property.....

MR. SIMMONS:It could be problematic....to put curb and gutter in one location and not have it be designed comprehensively to address stormwater run-off in that whole section of the roadway. So, I don’t know the details but assuming he’s correct in what he’s saying, then, I think it’s a valid concern.

MAYOR: So, what means the writing on this paper that the recommends – the Staff recommended that Old Hollow Road be constructed as three lanes cross section with curb and gutter and sidewalks. What are we supposed to make of that, then? I guess is my question.....

MR. SIMMONS: Well, I guess it’d be a recommendation that’d be done but it’s not a condition and it was not what the Planning Board recommended to you. Planning Board did not recommend – I think it would be great to have curb and gutter there, but I also think it would be asking too much of this developer to do curb and guttering – he doesn’t have the authority to do that anyway. Frankly, what should have happened, I guess, is when the county approved this first phase of the site plan, the condition for curb and gutter at that time should have been required. I would say it’s a little bit late – after the fact – to require this gentleman to do curb and gutter, when it was not a condition for approval for the rest of the site – when it was approved by the county.

MAYOR: Is there any such restrictions or requirements to later, as it’s developed below that.....as each person on their own provide the curb and guttering, is that possible, or no?

MR. SIMMONS: Again, I don't know the circumstances of the site. I think the fact that this original plan first phase approved without curb and gutter requirement, I don't think you could ---- I think it would be difficult to add curb and gutter on a piecemeal basis. It needs to be done comprehensively. I think it would be asking too much for any individual developer who's individual sites do it incrementally as the gentleman just described...it may be impractical from an engineering standpoint doing it incrementally. Now, whether the state will wind up doing this at some point, or whether the town will wind up doing it at some point, I can't say. But I think that ship has sailed, I think, in respect to getting curb and gutter on an individual site on an incremental basis. That's just a good guess at what's going on – I'd have to look at engineering drawings to have other comments on that to say for sure, but I think that's what I'm hearing from the petitioner --- that it's not required of other folks through the development, it'd be hard for him to do it on an individual basis.

MS. MARTIN: If at some point in time, we address the issues of sidewalks in that area, that would take care of it also. I mean, it would go at that time with curb and gutter and sidewalks, which we're discussing now on 158 and 66.

MR. SIMMONS: Right. If you were to do sidewalks, you'd almost invariably want to do curb and gutter at this location.

MS. MARTIN: Well, that's what I'm saying. Walkertown itself would address this.

MR. SIMMONS: Yes, ma'am.

MS. MARTIN: I make a motion that we approve the site plan as we have it.....

MOTION: TO APPROVE WA-009 BOJANGLES RESTAURANT SITE PLAN AS PRESENTED

BY: MARILYN MARTIN

MR. BOLES: (FROM THE AUDIENCE) Your Honor – I believe that you are still in the Public Hearing and in fairness, you would have the opponents come back and speak, and I would like to be given the same courtesy.

MAYOR: Okay.

1. HARRY BOLES:

First of all, the man told you you can't have sidewalks *there* if you don't elevate this property. Now, I would venture to guess that probably Bojangles doesn't own this property at this point – just has it under contract. Is that correct? (Yes) You see, this is the process where you can get what you need. You have a developer here who has offered a piece of property to Bojangles. Now, if you place a condition that he put curb and gutter and sidewalks, that means that he's got to go back to the developer and say, 'Developer, you need to absorb this cost.' Now, the developer should have absorbed this right up front it seems like to me. And, therefore, if you pass this thing tonight, I think you're going to lose your opportunity to get what you've talked about earlier tonight – in and along Highway 66. In addition to that, the whole zoning process is piecemeal – you all the time take one piece of property and require curb and gutter and sidewalks – this is one piece of property! There's no difference! So, you're going to lose a golden opportunity tonight if you don't add a condition --- you just need to add a condition that curb and gutter and sidewalks be installed along Highway 66 in accordance with your existing ordinance and then that'll force Bojangles to go to the developer and decide who's going to pay for it. And that means, elevating the property – if it needs to be filled, it's in a hole anyway, it should be filled! And I think that's really where you ought to be. I would submit that respectfully.

MAYOR: Anyone else wishing to speak?

2. Dick Gwilt
Glenwood Developer

[DID NOT SPEAK INTO MICROPHONE AND THUS COULD NOT HEAR HIS COMMENTS]The master plan for sidewalks would've been practical to put up on the highway.....but we don't own the highway.....We can't control what goes up on 66...or 158.... So curb and sidewalk could go so to put them in for the sake of putting them in, it's....

MAYOR: I think the whole – our concern is – where do we start? We're trying to get this to be a walking community; that's our goal – to have a walking community. And I think it's been appropriately pointed out that either we do it as each piece is developed or we do it as a whole, later on. And I think its what the point was made that tonight's a good opportunity to start with the one that is developing this piece of property. That's what I understand. Our goal is to have sidewalk accessibility – walking accessibility all over town. That's our goal! That's really our goal. So, I hear what you're saying Petitioner, in that it wouldn't go anywhere. It wouldn't go anywhere today – that's true. It would go somewhere as we get more sidewalks. It would go somewhere.

MR. GWILT: Yeah. Because it's connected to the car wash and Sheetz, which don't have sidewalks, because of the grade changes, it's really an impossibility to put them there.

3. Peggy Leight
5150 Sullivantown Rd.

That recommendation that I believe is on there about the three lanes and the curb and gutter – the reason I believe it's a recommendation is because it wasn't a requirement for anything in that side of the development because it was passed by the County Commissioners before we got the zoning. Across the street on Walkertown Landing, when we approved that for two-phase zoning, that's when they agreed to widen the street, put in a median, and, I believe, curb and gutter on both sides. So, that's why it is a recommendation and not a condition, because it is a condition on Walkertown Landing and not on Walkertown Commons. And you can verify that but I think the condition for curb and gutter was part of what we did for Walkertown Landing – but it would be for the entire street.....

MAYOR:But not for Commons.....

MS. LEIGHT: ...No...But it would be for the entire street – it would be for 66 on both sides.....

MAYOR: Both sides? It would be on the north and the south sides, is what you're saying?

MS. LEIGHT: I believe so. You may want to verify that with the plans for Walkertown Landing but I think that's where that recommendation came from. I know it's with Landing that they were going to put the median strip in and put a turn lane in and cut off – like left-hand turn.....

MAYOR: Well, that makes sense then....

MS. LEIGHT:But you may want to verify that with Walkertown Landing site plan.

MAYOR:Did ya'll discuss this at all.....?

MS. LEIGHT:No. Not during our Planning Board for this site.

MAYOR:Is it your understanding from the Planning Board that both sides will have curb and gutter?

MS. LEIGHT:It is my understanding from development of Walkertown Landing that, yes, both sides will be done.....

MS. LEIGHT TO DICK GWILT AND JEFF SAUL:.....the other side of 66, when you're building the median strip, you'll put a curb and gutter on both sides

of 66 because it's going to be expanded to three lanes. Not just 158 --- but 66 and 158.

MR. SIMMONS: Let me see if I can ----

AT THIS POINT, MORE DISCUSSION OCCURRED AWAY FROM THE MICROPHONE WITH PEGGY LEIGHT AND GLENN SIMMONS – WHICH COULD NOT BE HEARD ON TAPE

MR. SIMMONS: I'll just say it's not uncommon for a condition for people to put curb and gutter within the public right-of-way – the fact that you don't own it doesn't mean that there couldn't be condition for that. But.....

MR. BOLES: FROM THE AUDIENCE – COULD NOT HEAR CLEARLY Mayor, may I say one more thing? What I'm hearing is that I'm hearing the developer does not want to spend money – or to bring the site up to the level that it needs to be brought up – I'm talking about in terms of total development. They don't want to spend the money but I think the council ought to establish conditions so that those things that you've been working on and have adopted as _____ are in fact, carried out here _____.

JEFF SAUL: (Glenwood Development) I'd just point out, we're not opposed to the idea of sidewalks. Sidewalks – it's a great idea and the curb and gutter is a great idea. When we went through this first phase approval for the land we're talking about, the fact is that curb and gutter and sidewalks on 66 was not required. We went in and spent a lot of money and did our site work in this area and our driveways based on that fact. And, now, we're hearing that we should be considering adding curb and gutter – when it wasn't called for initially and it becomes, really, a fairness issue. Not unlike the signage issue you're talking about, when you're talking about changing a sign code and allowing existing signs to either stay or stay over some amortization period. Here – you could require us to add curb and gutter, but it would be at a great cost and it wouldn't necessarily make sense because as Mr. Gwilt pointed out, we've already got the car wash in – they haven't done curb and gutter. They're not required to have curb and gutters. And it would be piecemeal. For those reasons, I would ask that you grant the petitioner's request for the site plan as-is.

MAYOR: Anyone else wishing to speak?

PUBLIC HEARING was closed at 9:10 p.m.

MAYOR DAVIS CALLED FOR A FIVE-MINUTE RECESS AT 9:10 P.M.

REGULAR SESSION WAS CALLED BACK TO ORDER AT 9:17 P.M.

Continuing discussion for BOJANGLES:

MAYOR: Where would water go for curb and gutter for one place, there is no where, is that correct?

MS. SCHWAN: Where would the water, I mean, we have no where – I guess this really should be.....

MR. HESTER: Where would you route the water that would be in front of Bojangles?

MS. SCHWAN: I'm not a stormwater person!

MAYOR: Glenn, let me throw that back at your court.

MR. SIMMONS: [COULD NOT HEAR -- NOT SPEAKING INTO MIC] I think that there's a drain inlet right here.....I'm not sure exactly where it's going

out.....I presume it's being piped back down to some(?) part of the property.....if I'm not mistaken,.....

MAYOR: I'm sorry to put you on the spot, Glenn, but I wanted to get your opinion since you are the sidewalk guru. All right. We've closed the Public Hearing, council do you have – there were some conditions – what were the conditions from the Planning Board? Do you remember?

MR. SIMMONS: The additional condition from the Planning Board was that they build the building in substantial compliance with the building rendering that they passed out to you.

MAYOR: But that's the only condition?

MR. SIMMONS: Well, there are conditions for the 6-foot monument sign, which is a moot point....

MAYOR:Okay.....These right here.....okay.....

MR. SIMMONS:Yes, sir. And the only other condition that's in there that you may want to consider is you have just allowed for electronic signs and this prohibits electronic signs so if you want to consider that based on your previous decision about signs, you might want to consider that.

MAYOR:So, I would think it would be appropriate, Council, to remove Condition B – Electronic message signs shall be prohibited. So we would remove that issue, if you so decide. Is that the only other condition, A and C?? All right, council, what is your pleasure?

MOTION: TO APPROVE WA-009 BOJANGLES RESTAURANT SITE PLAN WITH THE CONDITIONS:

(1) REMOVE FROM OTHER REQUIREMENTS ON STAFF REPORT –

“B” ELECTRONIC MESSAGE SIGNS SHALL BE PROHIBITED.

(2) ADD CONDITION RECOMMEND BY WALKERTOWN PLANNING BOARD THAT PRIOR TO BUILDING PERMITS, THE BUILDING SHALL BE CONSTRUCTED IN CONFORMITY WITH BUILDING ELEVATION

(3) KEEP AS INTACT CONDITIONS “A” AND “C” AS RECOMMEND BY CITY-COUNTY PLANNING BOARD STAFF REPORT

BY: MARILYN MARTIN

SECOND: SARAH WELCH

VOTE: MOTION PASSED UNANIMOUSLY

5. FOR DISCUSSION AND/OR ACTION:

WALKERTOWN SIDEWALK SUGGESTIONS AND DISCUSSION

DISCUSSION:

MAYOR: We've actually had this discussion and all this #5 was setting a priority list and we'll get that list, I think we've pretty much got the list. Ms. McKinnie will be getting that to Lynda before 8:00 in the morning, I'm sure.

MR. HESTER: So she can be out here doing her walk-through.

6. **FOR DISCUSSION AND/OR ACTION:**
UPGRADE OF RAILROAD CROSSING AT LEIGHT STREET AND
SALEM ROAD ---
ESTIMATED COST TO TOWN - \$1,290

DISCUSSION:

MAYOR: This is a shared cost – municipal share is \$1,290 ----
total cost of the project is to be approximately \$150,000. Our share would be
\$1,290. This is Department of Transportation project.

THIS IS NULL AND VOID UNTIL CLARIFIED MORE FULLY

**MOTION: TO APPROVE PARTICIPATION IN NC-DOT PROJECT TO
UPGRADE RAILROAD CROSSING AT SALEM STREET
AND LEIGHT STREET FOR AN APPROXIMATE COST TO
THE TOWN OF \$1,290**

BY: WAYNE HESTER

SECOND: RANDY MENDENHALL

VOTE: MOTION PASSED UNANIMOUSLY

7. **FOR DISCUSSION AND/OR ACTION:**
GRANT REQUEST FROM:
WALKERTOWN WARRIORS BASEBALL TEAM
FOR AMOUNT OF \$8,500.00

DISCUSSION:

MAYOR: You see the grant request in your packet. There are
several pages on the expenses, grant request, the information page. Is there
any action on this grant request?

MS. MARTIN: I make a motion that we give \$500 to the Walkertown
Warriors at this time. The way we did this before, it kind of got away from us. I
talked to Lynn about it --- that if ya'll will go and purchase – up to \$500 – and
bring the receipts to Lynn, she will give you a check for that amount (\$500). I saw
in this that to outfit a boy in uniform is \$100. Well, if you did five, that's all she
needs. We had made this back two or three years ago to do it in that way. We
need accountability because it's not our money.

**MOTION: TO APPROVE THE DONATION OF \$500 TO THE
WALKERTOWN WARRIORS WITH THE STIPULATION
THAT RECEIPTS WILL BE FURNISHED BEFORE
RECEIPT OF CHECK**

BY: MARILYN MARTIN

SECOND: RANDY MENDENHALL

VOTE: MOTION PASSED UNANIMOUSLY

8. **FOR DISCUSSION AND/OR ACTION:**
FINANCIAL STATEMENTS FOR

- JANUARY 2008

DISCUSSION:

MAYOR: Any motion?

**MOTION: TO APPROVE FINANCIAL STATEMENTS FOR
JANUARY, 2008**

BY: WAYNE HESTER
SECOND: MARILYN MARTIN
VOTE: MOTION PASSED UNANIMOUSLY

9. **PRESENTATION !**

PRESENTATION OF PLAQUE TO TOWN OF WALKERTOWN
IN APPRECIATION FOR TOWN SUPPORT FOR
WALKERTOWN WOLFPACK CHEERLEADERS

DISCUSSION:

MAYOR: Mr. Black, are you doing that?

WALTER BLACK: Yes. I'll take care of that. This past football season, the Walkertown Little League football team cheerleaders traveled to Florida to participate in national competition. At this competition, we finished eight – which was very good – but we couldn't have done so without the support of Walkertown and the financial support that the city of Walkertown provided for us. So, as a gesture of our gratitude, we would like to present this plaque that reads: *"With sincere thanks and appreciation for your support of our organization, the Walkertown Wolfpack"* we present this to the City of Walkertown and to the people of Walkertown. Thank you for your support.

MAYOR: Thank you, Mr. Black. Thank you very much. We wish ya'll a great season. You've already started signing up, I suppose?

[MR. BLACK WAS NOT ABLE TO BE HEARD]

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 at 9:30 p.m.

1. Harry Boles
2981 Avalee

I want to follow up on a theme here that was kind of implied at some of what I said. A lot of things get generated out of the professionals in Winston-Salem and, more specifically in this case – Planners. And it appears from an outsider, that they come in and go to whatever board or back here to this council and they're pretty much accepted as recommended. It's not sufficient to go through the motions and approve something. It seems like that we really need to take a look at what it is that's proposed. Ask ourselves how it applies to our community and how it's going to affect our citizens that are here and not just look at some grandiose concept about what the future is going to be and really look at these things substantively. It appears to me, from being an outsider, that we don't do a very good job of that. And I would ask, respectfully, for this council to take a look at these things that get generated outside this community and ask, 'Is this really what we need?' And if you really don't understand the application of what's being suggested, then maybe we ought to slow down a little bit. I think we made a mistake on the sign ordinance today or tonight. I don't see anything wrong with a larger sign than what was approved. Somebody who really understands the application of that ordinance to our community knows there's going to be problems with churches and we didn't take a comprehensive look at what we really need for signage. We've got signs now that are not authorized. One of these days somebody's going to have to do some enforcement – when they do that, it's going to involve churches, civic organizations, businesses, and individuals --- its not going to be pretty! You lost an opportunity! Instead of looking at a comprehensive sign regulation that could have cleaned up a lot of things in town, it looks like to me – from an outsider – again, we rubber stamped what came out of Winston. I think the citizens deserve more than that. I would like to say that you need to take a look at the size of the signs. You have a building that comes under that definition of shopping center and you've got a sufficient building out here somewhere that you have approved --- you

can't even get all their names on the sign! So, how are you going to know what's in the building? And it goes on and on....and I don't mean to be beating an old horse to death, but somebody needs to say it to you - - - - and I said it!

2. Fred Martin
2733 Martin Str.
Walkertown

Some people are concerned with the beauty of the town and the signs and all this. This shopping center ya'll have been talking about tonight has a pond – a drainage pond – no fence around it – a walkway pretty close to it going to the shopping center – and a lot of apartments behind it. Some kid's going to get drowned in there! This is a whole lot more important than these signs and all this shrubbery that you want to put up. And somebody needs to check into it because I brought this up before the Planning Board and the fellow from the county said there wasn't anything that made them put this fence around it. But, there needs to be a fence around this pond because it's pretty good size and it's just an ideal location for some kid to get drowned right there. And I'm more interested in the kids than I am the money and the signs and the landscaping.

3. Jeff Watson
5335 Reidsville Rd.
Walkertown Warriors

I just want to express my gratitude for the Walkertown Warriors for the support that you folks have given for our team as well as all youth athletics. I think this group back here will back up that up as well. Without your support, those athletes and future leaders of our community would not be able to do what it takes to learn the arts of sportsmanship and leadership and being part of a team. Once again, I just want to express our thanks.

4. James Nash
4660 Camp Betty Hastings Rd.

We just relocated down here in April to Walkertown and we passed a sign down there at town hall. And the town hall said that the meeting "2-28" – town hall. We don't know that there's a meeting at the library. I think that you should put that on that sign. Okay?

Public Session was closed at 9:35 p.m.

OTHER INFORMATION ATTACHED

BEHIND INDEX #10

1. Planning Board Meeting Minutes for FEBRUARY 5, 2008
2. Planning Board Meeting Minutes for Special Training Meeting of FEBRUARY 14, 2008
3. Updated Planning Board Member List

BEHIND INDEX #11

- *The Legacy Development Guide Update 2007*
.....Sarah Welch is the Walkertown Legacy Rep

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 9:35 P.M.
BY: WAYNE HESTER
SECOND: RANDY MENDENHALL
VOTE: MOTION PASSED UNANIMOUSLY

ATTEST: TOWN OF WALKERTOWN:

Lynn McKinnie
Town Clerk

Kenneth R. Davis
Mayor

• **ANNOUNCEMENTS**

- **RECYCLING** in Walkertown continues every two weeks.
FOR MARCH:
A ROUTE - 10TH AND 24TH
B ROUTE - 3RD AND 17TH AND 31ST
- **TOWN COUNCIL MEETINGS:** (4TH THURSDAYS)
7:00 p.m. at the Walkertown Library Auditorium on:
FOURTH THURSDAY @ 7:00 P.M.

MARCH	27
APRIL	24
MAY	22
JUNE	26
JULY	24
AUGUST	28
SEPTEMBER	25
OCTOBER	23
NOVEMBER	20 – CHANGED DUE TO THANKSGIVING HOLIDAY
DECEMBER	18 – CHANGED DUE TO CHRISTMAS HOLIDAY
- **PLANNING BOARD MEETINGS:**
Library @ 3:00 p.m. On 1st Tuesday of month

NOTE: TOWN HALL OFFICE WILL BE CLOSED ON GOOD FRIDAY:
MARCH 21, 2008