

Regular Meeting of the Town Council

04-18-17

6:30 pm

Minutes & General Account

Council Members Present: Mayor Volz, Council Members Montgomery, Nixon, & Straughn

Council Members Absent: Council Member Ragsdale

Staff Present: Kathryn Billings, Matthew Johnson, Judy Gallman, Paul Blanchard, Martha Wolfe, Katie McBride, Ross Sanderlin, & Beth Koonce, Town Attorney

Visitors Present: Vernon Queen, Connie Queen, Shawn Rogers, Mary Browning, Charles Foster, Bruce Dillon, Jim Leonard, Mike Jarrell, Louise Miller, Becky Morton, John Flynn, Emily Ragsdale, Christine James, Janet Odum, Jackie Boylan, Edwena Robbins, Michelle Harkey, John Yoakum, Jack Yoakum, Gray Wolfe, Rebecca Mann Rayborn, Terry Thompson, Diane Thompson, Rusty Bryson, John Polchinski, Sharon Polchinski, & Carol Brooks (Jamestown News)

1. **Call to Order-** Mayor Volz called the meeting to order.
2. **Community Reflections-** Mayor Volz announced the following community events:
 - April 21st- Arbor Day celebration will be held at 4:00 pm at Wrenn Miller Park
 - April 23rd- Potent Potables Food Truck Festival at Wrenn Miller Park from 11:00 am-5:00 pm
 - April 25th- Martha's Retirement Celebration in Ragsdale Civic Center from 2:00 pm-4:00 pm
 - May 13th- Town of Jamestown Spring Fling will be held at Wrenn Miller Park from 5:00 pm-10:00 pm
 - June 3rd- Town of Jamestown Community Yard Sale will be held at Wrenn Miller Park from 7:00 am-1:00 pm

3. **Approval of minutes from the February 22, 2017 Special Town Council Meeting, the March 20, 2017 Special Town Council Meeting, and March 21, 2017 Regular and Closed Session Town Council Meetings-** Council Member Montgomery made a motion to approve the minutes from the February 22, 2017 Special Town Council meeting, the March 20, 2017 Special Town Council meeting, and the March 21, 2017 Regular and Closed Session Town Council meetings. Council Member Nixon made a second. The motion passed by unanimous vote.

Council Member Nixon made a motion to seal the closed session minutes from the March 21, 2017 Town Council meeting. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

4. **Public Hearing to consider annexation pursuant G.S. 160A-31-** Johnson respectfully asked Council to postpone the public hearing and the consideration of the ordinance to extend the

corporate limits until the May 16th Town Council meeting. There had been an advertising issue and the hearing needed to be postponed in order to adhere to the law.

Council Member Nixon made a motion to postpone the public hearing and the consideration of the ordinance to extend the corporate limits to the May 16th Regular Town Council meeting. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

5. **Consider ordinance to extend the corporate limits of the Town of Jamestown-** see above

6. **Public Hearing to consider a rezoning request from Riverwalk I, LLC for the property located at 3511 RI and 3511 Z Dillon Rd. from Single Family Residential (SFR) to Conditional Zoning Multi-Family Residential (CZ-MFR)-** Johnson stated that the applicant seeking the rezoning had requested that the public hearing be continued until the May 16th Town Council meeting. He noted that staff recommended that the Council open the public hearing and formally continue the public hearing to the May 16th meeting. He did not recommend that Council receive the full presentation on the rezoning or hear citizen's opinions at that time. This would prevent the Town from having to pay to advertise the public hearing in the paper again. Johnson stated that he would be mailing out public hearing notices to the surrounding home owners that may be impacted by the rezoning.

Council Member Nixon stated that she was uncomfortable with continuing the public hearing without advertising it again in the paper. She said that she would like everyone to be aware of the postponement and not just those that would be directly affected by the rezoning.

Council Member Nixon made a motion to postpone the public hearing for the property located at 3511 RI and 3511 Z Dillon Rd. with the condition that it be advertised again in the local newspaper. Council Member Straughn made a second. The motion passed by unanimous vote.

McBride stated that the public hearing would be held at the May 16th meeting at 6:30 pm in the Ragsdale Civic Center.

Council Member Nixon also noted that anyone that would like to speak that night about the rezoning could sign up for the public comment period.

7. **Public Hearing to consider a rezoning request from Davis Family Enterprises, LTD located at 413 E. Main Street from Conditional Zoning-Agriculture (CZ-AG) to Conditional Zoning Single Family Residential (CZ-SFR) -** Johnson presented the background information of the rezoning request. The property consisted of about fifteen acres and the applicant had placed a condition on the rezoning that it will not be subdivided into more than five lots. Johnson presented maps of the property and the potential subdivided lots. He noted that the property was serviced by Town of Jamestown water and sewer. Johnson stated that the applicant would like to sell the land to potential buyers that intend on building single family homes. He noted that additional conditions could be placed on the rezoning.

Art Wise presented the formal recommendation of the Planning Board in regards to the rezoning. The Planning Board had unanimously voted in favor of the rezoning.

Mayor Volz opened the public hearing to anyone that would like to speak in favor of the rezoning.

Rich Glover, Jamestown Engineering- Glover stated that he was there to answer any technical questions that Council may have about the rezoning case. The Council and Glover discussed the details about the development of the property.

Council Member Nixon noted that there was no condition currently in place to maintain the white fence that was erected on the property. Council Member Montgomery stated that Council may need to include that as an additional condition for the rezoning.

Glover stated that the applicant would be willing to maintain the white fence.

Mayor Volz asked if there was anyone else that would like to speak in favor of the rezoning. There was no one. He closed that portion of the public hearing.

Mayor Volz opened the public hearing to anyone that would like to speak against the rezoning. There was no one. He closed that portion of the public hearing.

Council Member Montgomery made a motion to approve the rezoning with the condition that the white fence be maintained on the property that faces Main Street. Council Member Nixon made a second to the motion.

McBride took a roll call vote as follows:

Lynn Montgomery- Aye
Georgia Nixon- Aye
Lawrence Straughn- Aye

The motion passed by unanimous vote.

Council Member Nixon made a motion that Council found the zoning amendment within the public interest,

“as it is located, designed and proposed to be operated so as not to substantially injure the value of adjoining property, conforms with the general plans for the land use and development of the Town of Jamestown, and will be in harmony with the area in which it is located; And the Council finds that the request is consistent with the following provisions of the adopted 2020 Land Development Plan: Growth Management-Policies 1.5 and 1.11; Community Appearance- Policies 3.1, 3.4, and 3.6; Quality of Life- Policy 4.4; and Public Services and Facilities: Policy 5.6”

Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

8. **Public Comment-** Mayor Volz instructed anyone that had signed up to speak to say their name, address, and to please adhere to the three minute time limit.

Mary Browning, 8 Cedar Creek- She was speaking on behalf of the Historic Jamestown Society. She stated that they were seeking additional financial help from the Town this year. Browning spoke about Bill Ragsdale and his interest in preserving historic buildings within Jamestown. She also noted that the Historic Jamestown Society has lots of visitors from across the state and the World. She said that she hoped Council would continue to be generous with their grant to the Historic Society.

Jim Leonard, 509 Tangle Dr. - Leonard stated that he was also there to speak on behalf of the Historic Jamestown Society. He was a member of the Society and was asking Council to continue being generous with the money they grant each year. The Historic Society was in need of a security and fire protection system. He noted that there were several buildings that were being preserved by the Society and the large amounts of visitors they have every year. He emphasized the importance of obtaining a security and fire protection system in order to maintain the historic sites of Jamestown. He implored Council to consider this when allocating grant money.

Rebecca Mann Rayborn, 801 Ragsdale Rd.-Rayborn also spoke in favor of granting money to the Historic Society. She noted that the Town has shown previous interest in funding historic projects and that she knew it was something that the Council valued. She stated that the money requested by the Historic Society was a fraction of the cost of other funded historical projects. She said that preserving historic sites was very important to Jamestown.

Edwena Robbins, 313 Misty Waters Ln. - Robbins wanted to know the reason that the applicant requested to postpone the Riverwalk rezoning public hearing. She stated that there were about twenty-five people that attended the meeting and she felt that they needed to know the reason behind the postponement.

Mayor Volz stated that Robbins may want to contact the applicant about his reasoning. He said that Council allowed the postponement because it was something requested of them by the applicant.

Council Member Nixon stated that Robbins had a few minutes left to make a public comment about the rezoning at that time if she wanted to do so.

Robbins stated that the neighborhood was happy with the decision to deny the rezoning made by the Planning Board at their last meeting. She stated that there were lots of people that came to listen to the determination made about the rezoning and could not understand why the applicant did not do the same. She said she would contact the applicant about the situation.

Janet Odum, 311 Misty Waters Ln. - Odum stated that she traveled frequently and would not be able to attend the postponed public hearing. She said that she wanted to voice her frustration about the continuation. Odum noted that there had been a large number of people that had attended both the Planning Board meetings from the Riverwalk community and that they agreed with the determination made to deny the rezoning. She stated that there was nobody on Misty Waters Ln. that was in favor of the multi-family housing being requested. She was frustrated with the situation and hoped that Council would take her concerns into consideration.

John Polchinski, 314 Misty Waters Ln. - Polchinski said that he has lived in Jamestown for eighteen years and is also frustrated with the postponement. He stated that he had driven for two hours to attend the meeting and was very unhappy that the decision was being delayed. Polchinski stated that the applicant was obviously trying to stall in hopes that people from the community would stop showing up. He said that they were going to keep attending the meetings until the decision was final.

Rich Glover, Jamestown Engineering- Glover stated that the postponement that had been granted that night was the only one that had occurred. He also noted that he had contacted Vernon Queen, President of the Home Owners Association, and had told him that a postponement was going to be requested. He had attempted to prevent people from coming to the meeting unnecessarily.

9. **Historic Society Grant Progress Report-** Shawn Rogers presented the grant progress report. The Historic Society had recently been able to replace the roof of the Richard Mendenhall house and had also been able to make necessary structural repairs to the front porch. He gave updates about other historic sites they care for and some issues that they have been facing. He reiterated the need for a security and fire protection system. He emphasized the importance of preserving the historic sites of Jamestown. Rogers was requesting that Council increase their grant from \$5,000 to \$8,400. This would allow them to install a state-of-the-art security and fire reporting system within all the historic structures. He thanked Council.
10. **Consider Special Event Request for Memorial Day Parade-** Bruce Dillon presented the special event request on behalf of the Jamestown Veterans Committee and the Jamestown Lion's Club. They would like to have a Memorial Day parade on May 21st at 3:00pm. They decided to have the parade the week before Memorial Day weekend in order to increase attendance and participation. Dillon was requesting that the Town pay for the sheriff and police that are required for the event. He was also asking if the Town could provide staff to assist with the traffic barricades placed on the roads. They were not charging anyone to participate within the event and they were not going to profit from the parade. He noted that Council had agreed to help them financially in the past and hoped that they would do so again. Dillon thanked Council.

Council Member Montgomery made a motion to approve the special event permit request for the Memorial Day parade. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

11. **Jamestown Park & Golf Course Quarterly Report-** Ross Sanderlin presented the quarterly report. He stated that the first few months of the year were usually the slowest for the Golf Course. He said that they have been much busier this year. He compared the number of customers between January and April from last year and this year. There was an increase of 2,100 rounds of golf this year and a 68% increase in revenue received. Sanderlin stated that the increases could be contributed to the improved greens, the Clubhouse, and the customer service provided by staff. He noted that the Lady's Golf Association was back and mentioned several upcoming golf tournaments. Sanderlin also said that the Grill has continued to grow in its customer base. Customers have also shown an increased interest in renting the Clubhouse. The Grill received a 100% on its last health inspection. Sanderlin asked if there were any questions. Council briefly discussed the greens and thanked Sanderlin for his report.

12. **Set Public Hearing date to consider an initial zoning request for portions of right-of-way (ROW) of High Point Rd. located near 6115 Jamestown Parkway-** Johnson requested that Council set a public hearing date for portions of right-of-way of High Point Rd. for the May 16th Town Council meeting.

Council Member Nixon made a motion to set a public hearing date for the initial zoning for May 16th. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote

13. **Consideration of approval of the continued service of two Parks & Recreation members-** McBride stated that there were two Parks & Rec Members whose terms expire in May. She said that Robert Pickett and Bob Wilson have both been contacted and have agreed to serve another term. McBride stated that staff recommends that Council reappoint these members to the Parks and Rec Committee.

Council Member Straughn made a motion to reappoint Robert Pickett and Bob Wilson. Council Member Nixon made a second to the motion. The motion passed by unanimous vote.

14. **Proclamation declaring Municipal Clerks Week-** Mayor Volz called Martha Wolfe, Town Clerk, and Katie McBride, Deputy Town Clerk, forward. He presented a proclamation to them declaring May 7th through May 13th Municipal Clerk week.

15. **Resolution from North Carolina Association of Municipal Clerks (NCAMC) honoring Martha Wolfe-** Mayor Volz called Martha Wolfe forward. He presented the retirement resolution from the NCAMC to her.

16. **Resolution from the Town of Jamestown honoring Martha Wolfe-** Mayor Volz called Martha Wolfe, her son, and daughter-in-law forward. He presented a resolution from the Town of Jamestown honoring her for her many years of dedicated service. He thanked her for all of her hard work and told her that she would be missed greatly.

17. **Resolution recognizing Arbor Day-** Mayor Volz stated that the Town of Jamestown would be officially recognizing Arbor Day on April 21st. There would be a celebration held that day at Wrenn Miller Park at 4:00pm. The Mayor and Town staff would be planting three trees in the Park that day.

18. **Budget Amendment-** Gallman stated that she would not be presenting a budget amendment. However, she noted that there was a memo given to the Council regarding the audit of the fiscal year ending June 30, 2017. Dixon Hughes Goodman LLP has performed the audit in previous years. They had requested a 3% (\$700) increase in payment. She recommended continuing the contract with Dixon Hughes Goodman LLP despite the increase in price.

Council and Gallman discussed the implications of continuing to contract with Dixon Hughes.

Council Member Nixon made a motion to continue to contract with Dixon Hughes Goodman LLP at the increased rate. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

19. **Analysis of Financial Position of the Town of Jamestown-** Gallman presented the financial position for the month ending March 2017. She gave summaries of cash balances, debt balances, revenues, expenditures, and capital projects. She stated that there were no significant changes in the financial position.

20. **Public Comment-** No one registered to speak

21. **Other Business-** Council Member Nixon stated that she would like to be able to increase the grant given to the Jamestown Historic Society by \$3,400. She stated that she did not think it was an unreasonable amount and asked Gallman if she could find room for it within the budget. Council discussed the possibility of increasing the money granted to the Society with Gallman.

Council Member Straughn presented a memo from the Parks & Recreation Advisory Committee. He stated that the Parks & Rec Members wanted to formally support the updates made to the Grill at Jamestown Park & Golf Course. The Members would really appreciate the support of the Council on these upgrades. Council and Staff discussed the potential Grill upgrades.

22. **Closed Session per General Statutes 143-318.11 to discuss matters relating to attorney client privilege-** Council Member Montgomery made a motion to go into closed session to discuss matters relating to attorney client privilege. Council Member Nixon made a second to the motion. The motion passed by unanimous vote.

Closed Session

Council Member Nixon made a motion to resume the regular session. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

23. **Adjournment-** Council Member Nixon made a motion to adjourn. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 8:01 pm.