

**Regular Meeting of the Town Council**  
**November 16, 2021**  
**6:00 pm in the Civic Center**  
**Minutes & General Account**

**Council Members Present:** Mayor Montgomery, Council Members Wolfe, Rayborn, Capes, & Straughn

**Staff Members Present:** Interim Town Manager Treme, Assistant Town Manager/Director of Planning Matthew Johnson, Town Clerk Katie Weiner, Director of Public Services Paul Blanchard, Town Planner Anna Hawryluk, Finance Director/CPA Judy Gallman, Director of Golf Ross Sanderlin, Town Attorney Beth Koonce, Interim Town Clerk Nancy Avery

**Visitors Present:** Mary Kate Pung, C.J. Perry, Gloria Vaughan, Dan Vaughan, Carol Brooks

**Call to Order-** Mayor Montgomery called the meeting to order.

- Roll Call- Weiner took roll call as follows:  
Council Member Wolfe- Present  
Council Member Capes- Present  
Mayor Montgomery- Present  
Council Member Straughn- Present  
Council Member Rayborn- Present

Weiner stated that a quorum was present.

- Pledge of Allegiance- Mayor Montgomery led everyone in the Pledge of Allegiance.
- Moment of Silence- Mayor Montgomery called for a moment of silence.
- Approval of Agenda- Mayor Montgomery asked if anyone would like to change, add, or delete any items on the agenda.

Council Member Straughn made a motion to approve the agenda for the November 16th Town Council meeting with no changes. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

**Consent Agenda-** The consent agenda included the following items:

- Approval of minutes from the October 19<sup>th</sup> Regular Town Council Meeting
- Approval & Sealing of the October 19<sup>th</sup> Closed Session Minutes
- Financial Analysis of the Town of Jamestown
- Financial Analysis of the Jamestown Park & Golf Course
- Notification of Advances
- Budget Amendment #11 -\$13,500 increase in expenditures and appropriated fund balance for audio/visual services and purchase of new blower

Council Member Capes made a motion to approve the consent agenda. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

FYE 6/30/22  
 BUDGET AMENDMENT #11

Fund 10:

a. Other Contracted Services	10-4100-4990	1,500.00	
Other Contracted Services	10-4900-4990	1,500.00	
Appropriated Fund Balance	10-3991		3,000.00

To increase budget for audio/camera services at Council meetings and Planning Board meetings for remainder of fiscal year.

b. Capital Outlay - Equipment	10-6200-5500	10,500.00	
Appropriated Fund Balance	10-3991		10,500.00

Budget for blower - needed after the old blower died.

APPROVED

11/16/21  
 [Signature]  
 Interim Town Clerk

(Budget Amendment #11)

**Public comment** - none

**Introduction of Captain Brian Hall with the Guilford County Sheriff's Department**

Treme stated Guilford County Sheriff's Department provides police services to the Town by contract. He introduced Captain Brian Hall. Hall stated he was a 24 year veteran of the Sheriff's office and was assigned once before to the Town in 2008. Captain Hall said two vehicles are in need of updating due to high mileage and the department will be replacing them.

Treme introduced other staff as follows:

- Interim Town Clerk Nancy Avery, a retired certified municipal clerk. Ms. Avery will fill-in while Town Clerk Weiner is on leave.
- New hire Faith Wilson for the Accounting Specialist position. Ms. Wilson has a degree from High Point University and has been assistant Finance Director for the Thomasville schools and the Town of Spencer, North Carolina. Her hire date is November 29, 2021.
- Recent new hires Wes Moore and Nick Brown in the Golf Maintenance area.
- New hire Josh Brown in Recreation.

**Presentation of Certificate honoring the Town of Jamestown's acceptance into the AARP Network of Age-Friendly States and Communities**

Bob Gerken, AARP representative, presented liaison Council Member Rayborn with a framed certificate honoring the Town's acceptance as the 558<sup>th</sup> member in the AARP Network of Age-Friendly States and Communities. He said that the AARP network is a global community and welcomed the Town to the organization.

**Old Business -**

Consideration of approval of new public records request policy- Treme said he initially spoke at the September meeting about the need to update the public records policy. Samples from UNC School of Government and school boards were viewed to help with updates. The Town has received a lot more requests in the last 15 months (36 total) than at any other time. The nature of the requests, in degree and magnitude, have required extensive staff time to go through thousands of records to fulfill the requests. Research has been done by hand which has impacted other staff work. We are considering a software program at an estimated cost of \$750 to help process current requests so they may be timely and responsive.

In the new policy, when a request is received, staff will estimate the time it would take to fulfill the request and seventy-five (75%) of the estimated cost must be paid by the requestor before work begins.

Treme recommended Council approve the proposed updated policy.

Council Member Wolfe stated the main thing is to fill requests as quickly as possible. The current policy has more of the process on how to request documents than the proposed one does. She also stated the current policy says the Town Manager receives a copy of the request and the

proposed policy leaves that out. She wants to add the following language at the end of Section II, Coverage and Methodology:

“Written requests may be sent to the Town via Email to Town Clerk, Facsimile, In person at the Town Hall or by US Postal Service to 301 E. Main Street, PO Box 848, Jamestown, NC 27282. Telephone and in-person requests are also accepted at the Town Hall during normal business hours. Such requests shall be transcribed by the staff member receiving the request on a Request Form to ensure that the request is sufficiently specific for the custodian to know what records are being sought. All requests should be made to the Town Clerk and a copy forwarded to the Town Manager”.

Council Member Straughn asked the attorney if she has reviewed and approved the policy. Attorney Koonce said she had reviewed and approved it.

Council Member Rayborn said the last paragraph in Section II, Coverage and Methodology, states records will be made available at a time that is mutually agreeable between the Town Clerk and the requestor. She would like to clarify that by adding the language “within normal business hours.”

Council Member Straughn made a motion to approve the updated policy with the changes requested by Council Members Wolfe and Rayborn. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

#### Updates on ongoing NCDOT projects in the Town of Jamestown

Blanchard explained that the Town continues to work with NCDOT on several projects:

- Pedestrian signal head from Town Hall to Black Powder Smokehouse - we have spoken briefly with the owner and are looking for possible solutions to DOT’s reasons for disapproval.
- Gannaway Pedestrian Crossing – DOT has not responded to our signage request.
- Mendenhall Homeplace Crosswalk – we are waiting on changes from the City of High Point consultant.
- Guilford Road/East Fork Road Pedestrian Crossing – completed.
- Oakdale Road closing – DOT’s contractor is building the on-site detour to keep the road open.
- Drainage inlet in front of the library – DOT to maintain the inlet.
- E. Main Street Water Line Replacement from Dillon Road to Teague Drive – plans and encroachment agreements were submitted to DOT on 10/22/21 to clarify pavement repair requirements.
- E. Main Street Sidewalk Project – substantially completed. Work is underway on the tunnel canopies, curbs, and grading. We have been waiting for weeks to schedule the walk-through with DOT to create a punch list. Fencing and lighting work are being coordinated.
- East Fork Road Pedestrian Bridge Project – we are waiting final closeout of the project.
- Oakdale Road Sidewalk – we need to submit a ‘Spend Plan’ to DOT.
- Penny Road Sidewalk – this is a future project.
- East Fork Road Soccer Complex Overflow Lot – the survey was completed which will be used to design a CIP request.

- Pedestrian Crossing on Millis Road – no response received to request to install a crosswalk on Millis Road to the elementary school.
- Pedestrian Crossing at Hayne-Inman School – No response received to a request for signage at the pedestrian crossing on Hayne Road.

Council Member Capes asked if the Town needs to put up ‘no parking’ signs at the East Fork pedestrian bridge to help with the parking issue.

Blanchard replied his preference would be to plant trees as a natural buffer instead.

Council Member Straughn asked if the Town should put up ‘no parking’ signs on this side of the East Fork pedestrian bridge so DOT can enforce.

Blanchard said he would look into it.

Public Hearing on Question for Annexation pursuant to G.S. 160A-31 for 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, & 5303 Mackay Road - Johnson stated a petition was received for annexation for the following properties owned by D. R. Horton:

- 2221 Guilford College Road
- 5300 Mackay Road
- 2207 Guilford College Road
- 5303 Mackay Road

The Town Clerk investigated and found the petition sufficient. This matter is not ready for consideration at this point. He requested a continuation to the December 21, 2021 meeting of the Town Council, without further advertisement.

Mayor Montgomery opened the Public Hearing at 6:38 pm.

1. Gloria Vaughn, 721 Guilford Road, asked if the property had been sold to D. R. Horton. If so, this indicates a done deal. The Town Council decided there would be less traffic when it extended the ETJ, but we have more. She would like to hear if someone could explain how more development can be added and have less traffic. She stated that the Assistant Town Manager/Planning Director’s last name is Johnson and asked if he is an owner of the property.

Mayor Montgomery said the employee referenced is not an owner of the property.

2. Gwendolyn Flood asked how this will affect her.

Mayor Montgomery said the Council may only receive comments at the hearing, but that Ms. Flood may review this with town staff and ask questions.

3. Jeff Quinn said he had just purchased his property which backs up to this area. He asked if this a done deal, because he was not aware of it when he purchased his property.

Mayor Montgomery stated the property has been sold and no action has been taken by the Town Council. He can contact town staff with questions. This matter will come before the Council for consideration.

Mayor Montgomery closed the Public Hearing at 6:48 pm.

Council Member Capes made a motion to continue the Public Hearing on annexation until the December 21, 2021 Council meeting without further advertisement. Council Member Straughn made a second to the motion. The motion passed by a unanimous vote.

Public Hearing regarding several updates to the Land Development Ordinance (LDO) - Hawryluk stated that staff prepared updates to Article 17 – Sign Regulations and Article 24 – Nuisance Abatement and Property Management Code of the Land Development Ordinance (LDO). These changes have been made to provide clarity, to correct conflicting size requirements, to update formatting and to provide the addition of Minimum Housing Code Regulations as well as a Non-Residential Building Code. Alliance Code Enforcement (ACE) provided suggested additions and updates to Article 24 of the LDO. The addition of Minimum Housing and Non-Residential Building Codes provide the Town the ability to enforce and abate Issues without relying on County inspectors. These additions have also been updated to comply with North Carolina General Statute 160D.

Council Member Straughn stated he has concerns about the amount of authority given to inspectors, such as being able to check for square footage requirements and number of people in a home. He thinks these are more county duties. The Town could become an extreme HOA (Homeowners Association). He thinks the Town Manager should approve before anyone goes inside a dwelling. He would prefer a workshop be scheduled with the Board to go through this in detail. He asked the attorney if she had reviewed the language.

Attorney Koonce replied she had reviewed the language. All of the minimum housing code is directly from state statute. Initially the inspector has authority but has to come before the Town Council first. She cited the example of a previous demolition process. There are quite a few safeguard steps in between the total process. Another example is collecting a lien on a property. She suggested Council could continue to give the Planning Director that authority but with more Council oversight on enforcement action dependent upon level of enforcement.

Johnson and Treme reinforced that the county would help with enforcement of these ordinances but only if the Town has them in its ordinances; otherwise the county would not enforce.

Council Member Wolfe said she spoke with Brandon (ACE Code Enforcement) about her concerns. He explained that the language is directly from statute and does not mean it will be enforced. She thinks it may be a good idea to take another look.

Planning Board Chairman Glanville stated the board met on November 8th and held a public hearing on the LDO updates. The board voted unanimously to recommend the updates to be approved by the Town Council as they are consistent with the Comprehensive Plan.

Johnson asked if it would be okay to move forward with a vote on the sign ordinance and continue the Public Hearing on the minimum housing code.

Mayor Montgomery opened the Public Hearing at 7:04 pm  
As there were no comments, Mayor Montgomery closed the Public Hearing at 7:05 pm.

Council Member Wolfe stated that in the sign ordinance updates she would like a reference in the non -residential section on action taken by the Town Council on abandonment of signs. It does not state a time limit. She would like this clarified. Also, abandoned signs are referenced in the sign ordinance and then signs are talked about in the non-residential section, but it does not

say anything about abandoned signs. This needs to be added in the non-residential section to read as it does in the abandoned signs section or at least put a reference. There are some closed businesses in town that still have signage up.

Treme said we cannot go back and enforce an ordinance before it was adopted. The Town did not had a commercial code or the staff to address this. If it has been a violation for eight years, we cannot enforce it now just because an ordinance was adopted.

Council Member Capes made a motion to continue the Public Hearing to the Council's December 21<sup>st</sup> meeting without further advertisement. Council Member Rayborn made a second to the motion. The motion passed with a unanimous vote.

### **Manager report/Committee Reports - Manager Report**

Treme said one of Council's goals was to look at a future growth plan for water and sewer capacity along with garbage and recycling collection and police and fire protection. Another goal was to make sure Public Services staff had the proper training.

He announced the following certifications received in Public Services:

- Jamie Johnson – B Distribution Certification
- Jonathan Knight – B Distribution Certification
- Phillip Cooper – C Distribution Certification
- Tyler Humble – C Distribution Certification

He also announced that Public Services employee Phil Mickles is retiring January 1, 2022. Mr. Milkes has worked for the Town for 20 years and has made a major contribution to the community.

Treme introduced Fire Chief Derek Carson with the Public Service Fire Department.

Chief Carson informed Council that the Fire Department contracted with Beacon GIS, a third party unbiased firm, to conduct a fire station location and impact study. The study is necessary for current and projected growth in the Town. Station 23 on Mackay Road is the second new station in this district. Part of the reason for the study is to see if the Fire Department can fill its requirements. The study parameters did not include the recent rezoning request on the Johnson Farm property purchased by D. R. Horton. The main three items looked at were population, demand for service and land request. Impact on staff, ISO insurance rating and any possible relocation were also considered. Population estimate used was 4,500. Five years of data was used. The Fire Department serves 52 miles in this district. The study estimated an expected increase of 165 additional calls a year over the current 700 calls. Four minutes is the standard response time for the district. Forty-five percent of the Town meets that standard. The more rural areas brought the percentage down as it takes longer to respond. ISO rating is a two (2) in a range of one to ten (1- 10). The study results indicate that Station 46 and Station 23 current sites are the optimal sites for the future.

### **Council Member Committee report**

Council Member Rayborn relayed that the AARP Livability Committee met November 4th to talk about next steps after the designation. Typically a community wide survey is conducted, particularly looking at seniors in the area. The committee is taking the next month to look over a standard survey AARP provided and will meet again in January to discuss further action. She said AARP has offered a free shred event and the committee will be working with staff on coordination.

Council Member Rayborn stated that the Planning Board met November 8<sup>th</sup> and recommended the Town Council consider approval of the rezoning request from D. R. Horton.

Council Member Wolfe reported that she attended the TAC (Technical Advisory Committee) meeting on October 26<sup>th</sup>. DOT projects are coming in over budget and the group is working on projects in the 2026 and 2035 plans. Federal funds for infrastructure improvements are given to the state and then to DOT (Department of Transportation) to be distributed over a five year period. Concerns being discussed are inflation, labor costs, federal grants, etc. She cannot say yet what Jamestown's benefits will be.

#### High School Representative report

Marlane Conway reported for Ragsdale High School that there was a meeting tonight of the Guilford Apprenticeship and a free holiday band concert is coming up. Wrestling, swimming and basketball games start this week and schedules are posted on the website. The National Honor Society held a trunk or treat for Halloween and is having a canned food drive this week.

#### **Public comment**

None

#### **Other business**

Council Member Capes said he wanted to speak to the 'done deal' comment made earlier in the Public Hearing. There is no done deal. Rezoning is a long process. The Council is in a waiting mode during this process before it comes before them.

Council Member Rayborn stated there has been coverage in the media with good information about this and contact information for the Council is on the website along with phone numbers. Please call us with questions.

Council Member Wolfe asked about the status of bathrooms to be built at Wrenn Miller Park. Johnson said it has been budgeted and they are getting quotes.

Council Member Wolfe said Town Hall foyer has been open in the past for Christmas on Main and asked for an update.

Council Member Capes said it is a work in progress and we are making good headway. It will be on each of the four Wednesdays in December and quite a few businesses will participate. We want it to be like it was before Covid, but we do want to do it safely and not create a super spreader event. We received confirmation on the trolley which was popular before. There will be choirs and music. There will be a drawing like we had two years ago.



Council Member Wolfe said there is food box available at Jamestown United Methodist Church. Anyone can go and get food. The church is maintaining it, but welcomes volunteers to help. This idea was started by an Eagle Scout.

Council Member Straughn congratulated everyone on the difficult election process and thanked Interim Town Manager Treme for the education process for the candidates. He was disappointed with some of the things opponents said in different phases. He thinks the voters of Jamestown spoke up. He thanked everyone for the opportunity to serve again.

Council Member Straughn made a motion to go into Closed Session at 7:43 pm as per N.C.G. S 143-318.11 (a) (6) for a personnel matter. Council Member Capes made a second to the motion. The motion was passed by a unanimous vote.

-----**Closed Session**-----

Council Member Capes made a motion to return to open session at 9:52 pm. Council Member Straughn made a second to the motion. The motion was passed by a unanimous vote.

**Adjournment**

Council Member Capes made a motion to adjourn at 9:52 pm. Council Member Straughn made a second to the motion. The motion passed with a unanimous vote.

The meeting ended at 9:52 pm.

  
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Mayor Lynn Montgomery

  
\_\_\_\_\_  
Interim Town Clerk Nancy Avery