

**Regular Meeting of the Town Council  
February 21, 2023  
6:00 pm in the Civic Center  
Minutes & General Account**

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

**Staff Members Present:** Matthew Johnson, Katie M. Weiner, Paul Blanchard, Ty Cheek, Judy Gallman, Faith Wilson, Tammy Salyards, & Beth Koonce

**Visitors Present:** Rita Shugart, Sharen Apple, Gregg Apple, Robert Frederick, Andy Beamon, Will Beamon, Erin Wynia, Jordan Cansler, Sherrie Richmond, Bruce Browning, & 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 said that a quorum was present.

- Pledge of Allegiance- Council Member Rayborn 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 had any changes to make to make to the agenda.

Council Member Rayborn made a motion to add the following items: “Budget Amendment #13” to the “Consent Agenda,” the “Consideration of approval of ARPA Guilford County Contracts” under “Old Business,” “Consideration of award of contract to Dillon and Griffith for Stom Drainage Improvements” under “New Business,” and “Consideration of award of contract to Waugh Asphalt, Inc. for paving” under “New Business.”

Council Member Rayborn made a motion to approve the February 21<sup>st</sup> Town Council agenda as amended. Council Member Capes 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 January 17, 2023 Regular Town Council Meeting
  - Proclamation declaring March 5<sup>th</sup>-11<sup>th</sup> as Women in Construction Week
  - Reappointment of Doug Sampson to the Parks & Recreation Committee
  - Analysis of the Financial Position of the Town of Jamestown
  - Analysis of the Financial Position of the Jamestown Park & Golf Course
  - Budget Amendment #11
  - Budget Amendment #12 (East Main Street/Lydia Capital Project)
  - Budget Amendment #13

Council Member Straughn briefly discussed the ACE quarterly report with Johnson. He also requested more information from the Fire Marshall regarding fire inspections. Council Member Straughn asked about the items that were not reimbursable from NCDOT for the East Main Street project. Blanchard stated that most of items were silt fence material, seed, and fertilizer. He added that some of the documentation for the products could not be found by NCDOT.

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

(Proclamation declaring March 5<sup>th</sup>-11<sup>th</sup> as Women in Construction week, Budget Amendment #11, Budget Amendment #12, & Budget Amendment #13)

**Public Comment-**

- Sherrie Richmond, 601 Tangle Drive- Richmond stated that was concerned about the trees on the DR Horton property. She spoke about the landscaping requirements in the Development Agreement. She stated that the white fencing would need to be maintained and was concerned about the weed killer that could be used in the future. Richmond highlighted that more canopy trees should be incorporated and pollinators should be required.
- Robert Frederick, 500 Wyndwood Drive- Frederick spoke about the January 17<sup>th</sup> Town Council minutes that were approved. He noted that he had played audio clips during one of the various times he spoke during the meeting. He read the words that Mayor Montgomery had stated during the audio clip from the October 11<sup>th</sup> Special Town Council meeting. He claimed that Mayor Montgomery was untruthful when she stated that the public would have the opportunity to review a Development Agreement that was “essentially complete” before it was adopted. He stated that the Town had not followed public notice requirements.

**Presentation of Resolution to Sharen Apple, Accounting Manager/HR, for her retirement-** Council Member Wolfe presented the resolution to Sharen Apple. Council thanked her for her many years of service to the Town of Jamestown.

(Resolution to Sharen Apple, Accounting Manager/HR, for her retirement)

**Presentation of Resolution honoring Mary Browning-** Council Member Rayborn presented the resolution to Mary Browning’s family in honor of her lifelong dedication to the history of our community.

(Resolution honoring Mary Browning)

**Presentation regarding 2023-2024 Biennium Legislative Goals-** Johnson introduced Erin Wynia, Director of Government Affairs, and Jordan Cansler, Legislative Counsel, with the North Carolina League of Municipalities (NCLM). He stated that they would present information on upcoming legislative priorities of the General Assembly. Wynia presented an overview of the different resources that the NCLM offered to municipalities. She noted that the Government Affairs team represented local governments before the General Assembly. She stated that the NCLM helped their members stay informed through their many publications and research.

Cansler presented information on the legislative priorities for municipalities. He explained the policy development process. He noted that some of the current top priorities were transportation, access to broadband, water/wastewater/stormwater, housing, public safety, economic development investments, inflation mitigation, and the possibility of increasing revenue options. Cansler spoke about the partisan makeup of the NC Legislature. He said that the dominate policy topics for the legislature in 2023 were as follows: budget adjustments, Medicaid expansion, sports wagering, and medical marijuana.

Wynia stated that there were several issues to watch, such as local land use, permitting, short-term rentals, police/fire employee benefits, and local official ethics. She stated that those topics were not being initiated by the NCLM, but they were being discussed by the legislature. She highlighted that there seemed to be a longstanding interest of the legislature to try to limit local attempts to regulate short-term rentals. She encouraged Council Members to reach out to their legislators if they had concerns about specific issues.

Council Member Wolfe thanked Wynia and Cansler for their presentation. She asked them if there was a possibility of Powell Bill funding being increased. Wynia stated that NCLM Representatives were advocating for the funding to be increased, and were hoping it would receive bipartisan support by the legislators. Council Member Wolfe also spoke about articles that she had read regarding potential legislation that could be introduced that would greatly decrease the power that municipalities had to regulate planning and zoning matters. She asked if they were aware of that idea gaining support among the legislators. Wynia stated that they did believe that it was gaining support.

Council Member Straughn asked if that potential legislation was coming from big corporations that were lobbying legislators. Wynia said that developers would be supportive of limiting municipal regulatory powers.

Council Member Wolfe spoke with Wynia about the possibility of regulating short-term rentals. Wynia said that there were some options that municipalities had to regulate short-term rentals, but she encouraged Council to consult the Town Attorney about the issue.

Council Member Wolfe discussed the potential legislation that would allow the state to withhold sales tax from municipalities as a penalty for late audits with Wynia.

Council thanked Wynia and Cansler for taking their time to attend the meeting and for presenting so much important information.

**Presentation of Annual Sheriff Department Report-** Captain Sansour presented the annual report on behalf of the Guilford County Sheriff's Department. He introduced Lt. Apple to Council and said that Lt. Wiseman had been promoted to Captain. He stated that the district had received about a 1,000 calls, 225 reports, and issued about 110 citations within Jamestown. He said that their main objective was to prevent crime in the area. Capt. Sansour spoke about projects that the Sheriff's Department was working on in order to prevent and reduce crime. Those initiatives were as follows: increasing lighting in business parking lots at night, providing reflective stickers for businesses to put on their windows to help officers determine if their windows had been broken at night, and the utilization of civilian doorbell cameras, with the owner's permission, to find missing people, solve crimes, etc.

Council Member Straughn asked how many Part 1 crimes had occurred that year. Capt. Sansour explained that Part 1 crimes were considered crimes against a person, such as theft, assault, etc. He stated that there were about a dozen in 2022.

Council Member Wolfe asked about the Sheriff Department's response time. Capt. Sansour stated that the response time had remained consistent and that he would provide the actual times to Council after the meeting.

Mayor Montgomery encouraged Capt. Sansour to reach out to the Jamestown Business Association (JBA) in order to increase awareness about their crime prevention programs.

Council Member Rayborn asked about the murders that had occurred in Jamestown's jurisdiction and if Capt. Sansour believed that it could be a trend. Capt. Sansour said that both of those instances had resulted from domestic violence and were outliers in the data.

**Presentation Annual Fire Department Report-** Derek Carson, Fire Chief of Pinecroft Sedgefield Fire Department (PSFD), presented the annual Fire Department report. He presented an overview of their organizational chart and the district that PSFD serves. He highlighted that they were very proud of their current insurance rating because it was a Class 2. He noted that the insurance costs for residential and commercial properties was reduced as a result of the rating. Carson stated that there was a captain and two firefighters on duty at Station #46 at all times. He added that there were also some residential firefighters from the GTCC Fire Academy that stayed there as well. He presented an overview of the public education and outreach programs that the Fire Department had completed that year. Carson said that Station #46 had received 710 calls in 2022. The breakdown of those calls was as follows: 438 medical incidents, 42 fire incidents, 121 fire alarms, 22 motor vehicle accidents, and 87 service/good intent incidents. He noted that the majority of the calls that they received were related to medical emergencies. Carson stated that 90% of the time, Station #46's turnout time was one minute and forty-four seconds and their total travel time was four minutes and one second. He said that PSFD held an award banquet every year to honor their firefighters. He highlighted that there had been four medical life saves in Jamestown in 2022, and he presented the details of one of those incidents. He also spoke about the save/loss analysis for fire incidents in 2022. The breakdown was as follows: the property value exposed to fire was \$55,582,460, the property value lost to fire was \$76,500, and the property value saved was \$55,505,960.

Council Members thanked Carson for his detailed report and for the brave work that the firefighters do every day to keep the Town safe.

#### **Old Business-**

- Consideration of approval of lease agreement with Pinecroft Sedgefield Fire Department (PSFD) for property located at 6007 West Gate City Blvd. (parcel #1565246)- Johnson stated that the Town owned a property at 6007 West Gate City Boulevard and would like to enter into a long-term ground lease with PSFD for future use of the property for a fire station. He said that the contract was still under review by both the Town Attorney and PSFD's attorney. He requested that Council continue their consideration of the lease to the April 18<sup>th</sup> regular Town Council meeting.

Council Member Capes made a motion to continue the consideration of the lease agreement to the April 18<sup>th</sup> Town Council meeting at 6:00 pm in the Civic Center without further

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

- Consideration of approval of amended audit contract with Forvis LLP (formerly Dixon-Hughes Goodman LLP)- Gallman stated that an amended contract for the fiscal year 2022 audit was required by the Local Government Commission due to the audit being completed after December 1<sup>st</sup>. She added that the primary reason that the auditors had cited for the delay was the initial implementation of GASB 87. She noted that the only change to the contract would be the date.

Council Member Rayborn made a motion to approve the amended audit contract with Forvis LLP for FY 2022. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

#### **New Business-**

- Consideration of approval of American Rescue Plan Act (ARPA) Guilford County Contracts- Wilson stated that the three contracts for consideration were for the American Rescue Plan Act (ARPA) of 2021 Coronavirus State and Local Fiscal Recovery Funds Agreements between Guilford County and the Town of Jamestown. The first contract was in the amount of \$315,000 for the Parks and Recreation Trust Fund (PARTF) and Accessibility for Parks (AFP) projects. The second was in the amount of \$210,000 for a stormwater infrastructure project that would prevent the failure of a small dam at the Jamestown Park & Golf Course. The third contract was in the amount of \$2,294,795 for the construction of a mile of sidewalks throughout the Town. The sidewalks that would be constructed were as follows: East Main Street from Vickery Chapel Road to Millis Road (0.52 miles), Ragsdale Road near West Main Street (0.14 miles), Gannaway Street near East Main Street (0.03 miles), and West Main Street from Oakdale Road to Dillon Road (0.15 miles). She highlighted that the funds received from the County were on a reimbursable basis. Wilson stated that the Guilford County Board of Commissioners would consider the contracts for approval at their February 23<sup>rd</sup> meeting. She requested that Council approve the contracts as presented.

Council Member Wolfe asked Koonce if she had reviewed the contracts. Koonce stated that she had reviewed them and reiterated that the funding would be received on a reimbursable basis. She noted that the Town would have to spend the money on the projects and then submit receipts to the County for reimbursement. Council Member Wolfe spoke about the deadlines for the submission of the invoices and the completion of the projects.

Council Member Capes made a motion to approve the ARPA Guilford County contract for PARTF and AFP projects in the amount of \$315,205 and to authorize the Town Manager and Finance Director to execute all documents. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

Council Member Straughn made a motion to approve the ARPA Guilford County contract for the stormwater infrastructure project in the amount of \$210,000 and to authorize the Town Manager and Finance Director to execute all documents. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

Council Member Rayborn made a motion to approve the ARPA Guilford County contract for the sidewalk projects in the amount of \$2,294,795 and to authorize the Town Manager and Finance Director to execute all documents. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

- Consideration of award of construction contract to the lowest, responsive, responsible bidder to DreamBuilt Construction, Inc. for Town Hall renovations- Johnson stated that Town staff would like to recommend the award of contract for the construction of renovations at the Jamestown Town Hall to DreamBuilt Construction, Inc. in the amount of \$381,468. He added that DreamBuilt Construction, Inc. was the lowest, responsive, responsible bidder. He noted that the contract had been reviewed by the Town Attorney, architect, and the contractor and that it was ready for signatures.

Council Member Wolfe said that the budget included \$250,000 for the renovations. However, she added that the project had been bid out twice and the work needed to be completed.

Council Member Rayborn asked how many contractors had submitted bids for the project between the two rounds. He said that the Town had received four total bids on the project.

Council Member Straughn spoke with Johnson about the Town's bidding process.

Council Member Capes made a motion to award the contract for the construction of Town Hall renovations to the lowest, responsive, responsible bidder to DreamBuilt Construction, Inc. in the amount of \$381,468 and to authorize the Town Manager and Finance Director to execute all documents. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Request to set Special Town Council meeting dates for the March 23<sup>rd</sup> and April 14<sup>th</sup> Budget Retreats- Johnson requested that Council set Special Meeting dates for the purpose of discussing the fiscal year 2023/2024 Budget. He added that workshops would begin at 9:00 am and would be held in the Civic Center at Town Hall.

Council Member Wolfe made a motion to set Special Town Council Meeting dates for March 23<sup>rd</sup> and April 14<sup>th</sup> at 9:00 am in the Civic Center. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Consideration of approval of contract with Republic Services for the acceptance of recyclable materials from the Town of Jamestown- Blanchard said that the contract with Republic Services for the acceptance of recyclable materials had been reviewed by the Town Attorney. He stated that Town staff would begin picking up recycling at the curb. Therefore, there was a need to find a recycling facility to accept the materials. He requested that Council approve the Recycling Processing Services Agreement with Republic Services.

Council Member Straughn made a motion to approve the Republic Services contract and to authorize the Town Manager and Finance Director to execute all documents. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Consideration of award of contract to Dillon and Griffith for storm drainage improvements- Blanchard stated that the budget included \$250,000 for the paving of the Public Services Facility driveway. He added that there were two storm drainage culverts that needed to be replaced before paving the roadway. He noted that staff had reached out to 4 utility contractors and 2 of them had submitted informal proposals. He requested that Council award the contract to the lowest, responsive, responsible bidder, Dillon and Griffith, in the amount of \$126,770.

Council Member Straughn made a motion to award the contract for storm drainage improvements to the lowest, responsive, responsible bidder, Dillon and Griffith, in the amount of \$126,770 and to authorize the Finance Director and Town Manager to execute all documents. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Consideration of award of contract to Waugh Asphalt, Inc. for paving- Blanchard reiterated the need for the repaving of the Public Services Facility driveway. He noted that staff had contacted 3 paving contractors and 2 of them had submitted informal proposals. He requested that Council award the contract to the lowest, responsive, responsible bidder, Waugh Asphalt, Inc., in the amount of \$114,220.

Council Member Capes made a motion to award the contract for paving to the lowest, responsive, responsible bidder, Waugh Asphalt, Inc., in the amount of \$114,220 and to authorize the Town Manager and Finance Director to execute all documents. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

Council Member Straughn spoke with Blanchard about the timeline of the storm drainage and paving projects.

#### **Manager/Committee Reports-**

- Manager Report- Johnson presented his Manager report to Council. He stated that loose leaf pickup would end on Friday, February 24<sup>th</sup>. He noted that Council would have budget retreats on March 23<sup>rd</sup> and April 14<sup>th</sup> at 9:00 am in the Civic Center. He spoke about the Town's transition to using toters for the collection of solid waste and encouraged residents to visit the [www.jamestowncandc-nc.gov](http://www.jamestowncandc-nc.gov) website for additional information. Johnson updated Council on ongoing projects.

Council Members discussed the details of the Town's solid waste transition with Johnson.

- Council Member Committee Reports-
  - Council Member Wolfe said she attended a Piedmont Regional Transportation meeting on February 14<sup>th</sup>. She stated that the shortage of vehicles was discussed.

**Public Comment-** Nobody spoke.

**Other Business-** Council Member Wolfe asked about the status of the Oakdale Sidewalk Project. Blanchard said that staff was beginning to establish contacts in order to obtain easements.

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

The meeting ended at 7:49 pm.

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Mayor

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Town Clerk