

**Regular Meeting of the Town Council**  
**June 19, 2018**  
**6:30 pm in the Council Chambers**  
**Minutes & General Account**

**Council Members Present:** Mayor Montgomery, Council Members Wolfe, Capes, and Rayborn

**Council Members Absent:** Council Member Nixon

**Staff Present:** Kenny Cole, Matthew Johnson, Judy Gallman, Paul Blanchard, Sharen Apple, Katie McBride, & Beth Koonce, Town Attorney

**High School Representative:** Sarah Ulrich

**Visitors Present:** Joanna Tyler, Alicia Skelton, Sara Hooven, Vernon Queen, Connie Queen, Sarah Baker, Sheila Friedt, Keith Lackey, Josie Cothman, Kristen Kevorkian, JoAnne Hassell, Julia Rayborn, Sarah Glanville, Robert Frederick, & Carol Brooks.

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

- Pledge of Allegiance- Council Member Rayborn introduced Daisy Scout Troop 12750. They led everyone in the Pledge of Allegiance.
- Moment of Silence- Mayor Montgomery called for a moment of silence
- Approval of the Agenda- Mayor Montgomery asked Council if they had any changes to make to the agenda.

Council Member Wolfe stated that she had a couple of changes to request. She made a motion to add the emergency budget amendment as item V-D on the agenda and move Public Comment to item III and Old Business to item IV. 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 May 15, 2018 meeting
- Analysis of financial position of the Town of Jamestown
- Analysis of financial position of the Jamestown Park & Golf Course

Council Member Wolfe made a motion to approve the agenda as amended and the consent agenda. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

**Public Comment**

- Keith Lackey, 200 Lennox Dr. Unit 3A- Lackey stated that she would like to speak during the public hearing section.
- Sheila Friedt, 100 Lennox Dr. Unit 2D- Friedt stated that she knew that the Town could not do anything about the noise from the trains because they do have to blow their horns at the intersection. However, she wanted to know if there was anything that could be done to prevent them from holding their horn down from 11:00 pm to 6:00 am.

Mayor Montgomery thanked her for her input.

- Stephen Smith, 506 Mendenhall Rd. - Smith stated that he would like to speak during the public hearing section.

### **Old Business**

- Consideration of approval of System Development Fees- Blanchard gave an overview of the process legally required to change the system development fees and what had been completed by the Town of Jamestown. He noted that the next step would be the adoption of the new fees and that Steven Miller from WR Martin was in attendance to answer any questions that Council may have.

Council Member Wolfe stated that she did not have any further questions and would be fine with accepting the new fees.

Council Member Wolfe made a motion to approve the ordinance amending the Jamestown water and sewer rate and fee schedule as presented. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Consideration of adoption of pay classification study- Cole stated that Council had been presented the results of the pay classification study completed by PTRC at their last meeting. He noted that the job descriptions had not been finalized at that time. However, they were now complete. They were included in the Council packet along with the assignment of grades to classes and the cost of implementation. He said that it would cost the Town \$30,084.30 to make the changes. He stated that the cost had been included within the budget and he was requesting the approval of the study and the assignment of grades to classes.

Council Member Rayborn stated that she thought the job descriptions were great. However, she wished that Council had received some information before the presentation last meeting. Council Member Rayborn said she was not satisfied with the presentation that had been conducted by PTRC and that she would typically be for something like a pay classification study. Council Member Rayborn did not think that the Town of Jamestown should have been compared to cities that were significantly larger than the Town. She also noted that the Town of Jamestown provided better benefits than most of the other cities.

Council Member Wolfe stated that it would have been nice to have been provided the information on the study prior to their last meeting. She also noted that the Town of Jamestown did pay their employees well and provide good benefits. However, she felt that it was important to do the classification studies and keep current. She emphasized the importance of continuity of staff and the prevention of turnover. She agreed that she was also unsatisfied with the presentation given by PTRC. Council Member Wolfe said she had considered the different factors and was in favor of the pay classification study.

Mayor Montgomery said that the PTRC had compared the Town of Jamestown to other cities in the Triad in order to prevent the Town from becoming a training ground for those cities. She noted that the Town needed to retain the employees that they trained.

Council Member Capes stated that if the Town were to lose an employee that they would have to advertise the opening and try to remain competitive. He said that the Town of Jamestown was small and did not have people on the bench that could cover entirely for someone if they left. He was also unsatisfied with the presentation at the last meeting.

Council Member Rayborn stated that she did not want to be perceived as anti-staff because that was not the case. She was just not satisfied with the comparison of the Town of Jamestown to the larger cities.

Cole stated that he was requesting a motion to adopt the pay classification and job description and a separate motion to adopt the assignment of grades to classes.

Council Member Capes made a motion to approve the job descriptions and classifications as presented. Council Member Wolfe made a second to the motion. The motion passed by unanimous vote.

Council Member Capes made a motion to adopt the assignment of grades to classes as presented. Council Member Wolfe made a second to the motion. The motion passed by unanimous vote.

- Consideration of adoption of Recommended Budget Fiscal Year 2018/2019- Gallman stated that the Recommended Budget had been presented at the last Council meeting and the public hearing had been conducted. She noted that Council had made a few requests during the May meeting and that the budget reflected those changes. She gave a brief overview of the changes made to the budget. Gallman stated that the budget ordinance would be adopted by Town Council at the departmental level and that the departmental amounts could be identified in the budget ordinance document. She also said that there was no change in the tax rate from Fiscal Year 2017/2018.

Council Member Wolfe made a motion to adopt the 2018/2019 annual budget ordinance as presented. Council Member Capes made a second to the motion.

McBride took a roll call vote as follows:

Council Member Wolfe- Aye  
Council Member Capes- Aye  
Council Member Rayborn- Aye

The motion passed by unanimous vote.

- Consideration of approval of resolution adopting a CIP Program for the Town of Jamestown for Fiscal Years 2018/2019 to 2022/2023- Gallman stated that the CIP had been presented at the previous meeting. She noted that the only change that had been made was to move the Town website upgrade from a "should do" to a "must do."

She was recommending the approval of the resolution adopting the CIP.

Council Member Wolfe made a motion to approve the resolution adopting 2018/19 to 2022/23 and beyond CIP for the Town of Jamestown as presented. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Consider Funding Request for Non-Profits- Cole stated that the Town of Jamestown would be continuing to support local non-profits. He noted that there had been a maximum amount of \$100,000 set aside to be given in grants. He stated that the Town had received funding requests that totaled to the amount of \$115,746. Cole gave an overview of staff's recommended distribution of the funding.

Council Member Capes suggested that the amount given to the YMCA be decreased by \$2,000. He noted that it would allow for Council to increase the money given to the Historic Society and the Jamestown Library by \$1,000 each. Council Members discussed the potential distribution of the \$100,000 between the different nonprofits.

Council Member Capes made a motion to approve the funding distribution as presented with the modifications of increasing the money given to the Historic Society and Jamestown Library by \$1,000 each and decreasing the money given to the YMCA to \$22,254. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Public Hearings
  - **Public Hearing to consider an amendment to the Town Code of Ordinances: Chapter 94: Noise-** Cole stated that a public hearing date had been set to amend the noise ordinance for the June meeting. He noted that there was a request from a local business to amend the ordinance restrictions on noise to begin at 12:30 am through 7:00 am on Fridays, Saturdays, and New Year's Eve. The new noise ordinance time restriction would only apply to the MS Zoning District.

He stated that he knew several people could not attend the meeting and was requesting that the public hearing be continued to the July meeting.

Council discussed where the MS Zoning District was located with staff.

Mayor Montgomery opened the public hearing to anyone that would like to speak in favor of the amendment to the noise ordinance. There was no one.

Mayor Montgomery opened the public hearing to anyone that would like to speak in opposition of the amendment to the noise ordinance.

Keith Lackey, 200 Lennox Drive Unit 3A- Lackey stated that she could hear the noise coming from businesses along Main Street at her home. She said that she did not like the music that was being played and did not want to hear it late in the evening.

Stephen Smith, 506 Mendenhall Rd- Smith said that the noise coming from the establishments on Main Street were loud and he could hear it clearly at the end of Mendenhall. He also stated that the quality of music was not good. Smith noted that he did not put his dogs out late at night because of the current noise ordinance and the

music was louder than his dogs. He said that Council needed to consider how the change would impact the citizens of Jamestown.

Kurt Collins, 113 Gannaway- Collins asked what the original ordinance was and the proposed change would be. He also wanted to know how the noise was being measured. He said that the current noise ordinance was not being adhered to because The Deck had been playing music until 12:00 am and 12:30 am. Collins stated that he knew the Sheriff's Department was aware of the violations because he had spoken with them. He urged the Town Council to consider the rate at which the Town was growing and to set concrete rules in place.

Council Member Capes stated that the Council would be voting on the amendment at the July meeting and encouraged everyone that had spoken on the subject that night to attend the next meeting.

Council Member Capes made a motion to continue the public hearing to the July 17<sup>th</sup> meeting. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- **Public Hearing to consider an amendment to the Town Code of Ordinances: Chapter 52: Operation of Water and Wastewater System-** Blanchard explained that there were some changes that needed to be made to the Ordinance as a result of House Bill 436. There were also a few things that needed to be updated to reflect the current operation of the Town's front office.

Council Member Wolfe thanked staff for meeting with her and making a few adjustments to the previous amendment. She stated that she was satisfied with everything.

Mayor Montgomery opened the public hearing to anyone that would like to speak in favor of the amendment. There was no one. She closed that portion of the public hearing.

Mayor Montgomery opened the public hearing to anyone that would like to speak in opposition of the amendment. There was no one. She closed that portion of the public hearing.

Council Member Wolfe made a motion to approve the Ordinance for the Operation of Water and Wastewater Systems of the Town of Jamestown as amended. Council Member Capes made a second to the motion.

McBride took a roll call vote as follows:

Council Member Wolfe- Aye

Council Member Capes- Aye

Council Member Rayborn- Aye

The motion passed by unanimous vote.

## New Business

- Consideration of approval of Special Event Permit Request for Food Truck Festival- Mayor Montgomery called Abby and Steve Kim forward to present their request to Council. They stated that they would like to utilize Wrenn Miller Park and close a portion of Perry Road. They were planning to have a food truck rodeo. They said that they did need help with trash collection and that the event would be benefiting the Autism Society.

Council Member Capes stated that the events held by Potent Potables had always been great and that the outcomes had always been extremely positive for the Town.

Council Member Wolfe asked for more details about what they were requesting from the Town. Abby and Steve said that they would need staff to put the barricades up to close Perry Road. They noted that they would collect trash and place them in one area for the Town to collect. Council Member Wolfe also encouraged them to notify people at the surrounding properties before the event.

Council Member Rayborn made a motion to approve the special event permit request with the addition of help from Town staff to close Perry Road on August 19<sup>th</sup>. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Consideration of approval of Special Event Permit Request for Christmas Parade- Mayor Montgomery called Cliff Paddock forward. He was presenting on behalf of the Jamestown Rotary Club for their annual Christmas Parade. Paddock was asking for approval of the permit and the continuation of the Town's support through funding for law enforcement and postage for mailings related to the event.

Council Member Wolfe made a motion to approve the special event permit request with the addition of \$750.00. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Consideration of approval of resolution to amend the Water/Sewer Capital Reserve Fund- Gallman stated that the Town did already have a Water/Sewer Capital Reserve Fund, but it needed to be amended to include the system development fees as a part of the revenues that go into that fund. Gallman was requesting the approval of the resolution that would allow for the system development fees to be accounted for in the Water/Sewer Capital Reserve Fund. It would also clearly designate two of the Eastside projects.

Council Member Wolfe made a motion to approve the resolution which designates the Water/Sewer Capital Reserve Fund for the purpose of funding the listed capital projects related to the Town's water and wastewater system and as the fund to receive system development fee revenues. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Budget Amendment- Gallman stated that the fire station's air conditioner was having some issues and needed a new compressor. The estimated expense for the repairs was between \$7,000 and \$10,000.

Gallman said that she was requesting a budget amendment for the amount of \$10,000.

Council Member Capes made a motion to approve the funding for repairs and maintenance of the air conditioner at the fire station. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

### **Manager/Committee Reports**

- Manager's Report- Cole gave Town Council his manager's report. He noted the following:
  - **July 4<sup>th</sup>**- Town Hall would be closed for Independence Day. There would be NO change in garbage or recycling pickup.
  - **July 6<sup>th</sup>**- Music in the Park would be held in Wrenn Miller from 6:00 -10:00 pm. The Band would be the Special Occasion Band and there would be food trucks at the event.
  - **July 17<sup>th</sup>**- The Regular Town Council meeting would be held at 6:30 pm in the Council Chambers
  - **July 20<sup>th</sup>**- JBA would be showing the movie Frozen as a part of their Movies in the Park series. The event would begin at 5:00 pm and the movie would start at 8:00 pm. There would also be food trucks at the event.
  - **Every Wednesday until August 22<sup>nd</sup>**- The Ragsdale YMCA would be offering free yoga at Wrenn Miller Park. The instructor would begin at 6:30 pm and the sessions would last for one hour.

Mayor Montgomery stated that the Jamestown Veterans Association would also be having a flag raising at Wrenn Miller Park at 11:00 am on July 4<sup>th</sup>.

- Council Member Committee Reports-
  - Council Member Rayborn stated that there was a Board of Adjustment meeting the previous week that was very short. The Board approved the minutes from the prior meeting and adopted rules of procedure.
  - Council Member Capes said that he and Martha had lots of interaction with the UNC School of Government regarding the Oakdale Cotton Mill. He stated that they were working on improving the area and were exploring which options were available.
  - Council Member Wolfe stated that she attended the TAC meeting last month and learned that the Jamestown Bypass Project would to be let during the month of June.
- Flag Design Competition Update-
  - Ulrich stated that the Flag Committee met for the first time. She said that there were four members on the Committee including herself. She noted that the competition was going really well and that it would end on August 3<sup>rd</sup>. Ulrich stated that the Flag Committee would meet the following week to review the submissions.

**Public Comment**- Nobody signed up.

### **Other Business**

Council Member Capes stated that the fire department did a great job when they did a controlled burn of a house recently. He said that it was a great training opportunity for them and they did a good job.

Council Member Wolfe reminded everyone that the Jamestown Pig Picking would take place on August 4<sup>th</sup> at RiverTwist Homestead. It was a fundraiser benefiting the Family Services of the Piedmont.

Council Member Rayborn stated that the First Baptist Church hosted a farmer’s market every Wednesday from 5:00 – 8:00 pm.

Mayor Montgomery said that the JBA would like to thank Scott Coakley for helping them with the Movies in the Park events. She said he did a great job.

**Closed Session Per General Statutes 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee-**

Council Member Wolfe made a motion to go into closed session per General Statutes 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee to discuss the annual review of the Town Manager. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

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

Council Member Wolfe made a motion to resume open session. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

Council Member Wolfe made a motion to approve a 2% Cost of Living Adjustment (COLA), a 2% merit raise, and to continue a car allowance for Kenny Cole, Town Manager. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

Council Member Wolfe made a motion to adjourn. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 8:59 pm.

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Mayor

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Town Clerk