

**Regular Meeting of the Town Council
September 18, 2018
6:30 pm in the Council Chambers
Minutes & General Account**

Council Members Present: Mayor Montgomery, Council Members Nixon, Wolfe, Capes, & Rayborn

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

Visitors Present: Trina Smith, Debby Beach, Amy Reese, Justin White, Art Wise, Robert Frederick, and Carol Brooks

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

- Pledge of Allegiance- Mayor Montgomery led everyone in the Pledge of Allegiance.
- Moment of Silence- Mayor Montgomery called for a moment of silence and reminded everyone to remember those that were impacted by Hurricane Florence
- Community Reflections- Mayor Montgomery noted the following upcoming community events:
 - The month of September- was Blood Cancer Awareness month. There would be a Light the Night event held on October 6th in Greensboro. The proceeds would be used for advancing research and care for patients with blood cancer.
 - September 17th through the 23rd- was Constitution Week. It marked the 231st anniversary of the framing of the Constitution
 - September 21st- The Jamestown Business Association would meet at 12:00 pm at Victory Lane Fitness.
 - September 22nd- The Town would host the Fall Litter Sweep. She thanked Elizabeth Greeson for organizing the event and stated that she appreciated the job she had done.
 - September 29th- The Old School BBQ would be held at the Jamestown Library.
 - October 5th- would be the last Music in the Park event for the year. The band would be the Dickens and they would play from 6:00 pm to 10:00 pm.
 - October 8th- There would be a Planning Board meeting at 6:30 in the Council Chambers
 - October 16th- The Council would have their Regular meeting at 6:30 pm in the Council Chambers
- Approval of Agenda- Mayor Montgomery stated that she would like to remove the Proclamation for Blood Cancer Awareness from the regular agenda and place it on the consent agenda. The representative that was going to receive it was not in attendance.

Council Member Wolfe made a motion to approve the agenda with the suggested change for the September 18th meeting. 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 August 21, 2018 meeting
- Reappointment of Rich Glover to the Piedmont Triad Regional Water Authority (PTRWA)
- Analysis of the financial position of the Town of Jamestown for August 2018
- Analysis of financial position of the Jamestown Park & golf Course
- Budget Amendment #5

- Proclamation declaring September as Blood Cancer Awareness Month

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

Public Comment- Nobody signed up.

Old Business-

- Consideration of approval of contract for construction of East Fork Pedestrian Bridge- Blanchard stated that staff had opened bids for the East Fork Pedestrian Bridge on September 10th. There were three bids submitted, but one of the bids was nonresponsive. The bids exceeded the engineer's estimate by more than 10 percent. Therefore, staff recommended that the Town Council reject all bids and direct staff to re-bid the project.

There was discussion between Council and Blanchard about the process of re-bidding the project.

Council Member Nixon made a motion to reject the bids that were submitted and re-bid the project. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

- Consideration of approval of contract for Phase III of Oakdale Sidewalk Project- Johnson stated that the Town had selected the firm "Mattern & Craig" to assist with the design and engineering document preparation for Phase 3 of Oakdale Sidewalk project. He noted that it was the final phase of the project and would include approximately 2,800 linear feet of 5 feet wide concrete sidewalk between Chimney Ct. and Jamestown Oaks Dr.

He stated that staff was requesting that Council give the Town Manager authorization to execute the contract.

Council Member Wolfe made a motion to give the Town Manager the authorization to enter into a contract with Mattern & Craig. Council Member Nixon made a second to the motion. The motion passed by unanimous vote.

- Discussion of appropriation of revitalization grant funding- Cole said that Senator Wade had requested that the Town of Jamestown receive \$50,000 in the state budget for economic development and revitalization funding. He noted that the Town had to submit their proposal for the funding allocation to the State by October 5th.

Cole stated that one of the Council's top priorities had been to construct a new entrance sign near Flowers Bakery. He said that staff had met with a representative from Flowers Bakery and they had been open to the idea of a sign. They had requested to see plans for the sign and some additional details.

Cole noted that Council's second priority had been to install flashing pedestrian crossing signs at selected crossings. He said that staff had selected five locations for the crossing signs.

Cole stated that he would submit the plan for the funding to the state after Council's approval.

There was discussion about the details of the location of the sign between Cole and Council Member Wolfe.

Council Member Rayborn stated that it would be great to use any remaining funds to buy trash cans that could be placed along Main Street. The rest of the Council agreed that it would be a great use of the money if there was anything remaining.

Council Member Wolfe stated that she was very grateful that Senator Wade had secured the money for Jamestown.

Council Member Capes made a motion to approve the use of available grant funds for the projects listed. Council Member Nixon made a second to the motion. The motion passed by unanimous vote.

- Public Hearings-

- **Public Hearing to consider amending the Land Development Ordinance (LDO)**-Johnson stated that the public hearing had been continued at the last regular Town Council meeting. He noted that the Planning Board unanimously voted to recommend the approval of the amendment to Council. It would allow the permission for restaurants (without drive thrus), bars, and retail sales to be uses that were permitted by right within the industrial zoning district.

Mayor Montgomery asked Art Wise, Planning Chair, if he had anything to add.

Wise stated that the Planning Board felt the amendment was very straight forward and had no issue with recommending its approval to Council.

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

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

Robert Frederick, 706 Ragsdale Rd. - Frederick was concerned that the amendment was a blanket amendment for all industrial areas and believed that properties should be rezoned individually. He felt that there should be a buffer between businesses and residential areas.

Trina Smith, 5257 Caraway Mtn. Rd., Sophia, NC- Smith said that she worked at The Marisol. She was concerned about the parking and how it would affect their customers. She thought that the lack of parking spaces may have a negative impact on business.

Ted Wellborn- Wellborn said that he was the owner of Shoppes at Sedgefield. He said that he would like to address some of the issues that had come up. Wellborn noted that there was several parking spaces, and he was planning on adding an additional twenty spaces if the wine shop was allowed to open. He thought that there would be adequate

parking spaces for everyone. He believed that a solution could be found if everyone were willing to work together.

Toby Leasure- Leasure said that he would like to open a craft beer and wine shop next to The Marisol. He noted that he understood the concern about parking, but their prime business hours would not conflict with people going to dinner. He said that people would come to the shop after dinner, purchase wine and craft beer, and go home. He stated that he had another location at Oak Ridge and he was very involved with the community. He would like to bring more jobs to Jamestown, and he knew several people in the area were excited about the idea of the shop opening.

Mayor Montgomery asked if there was anyone else that would like to speak in opposition of the amendment. There was no one. She closed the public hearing and opened the floor to Council for discussion.

Council Member Nixon stated that she understood both sides of the parking issue. She said that the bigger problem was that the amendment would apply to all industrial areas and not just that specific property. She thought that it would be more appropriate for the owner to seek a rezoning.

Council Member Wolfe agreed with Council Member Nixon. She did not believe that a blanket amendment should be applied to all the industrial zones. She said that she could not vote for an amendment that would apply to all of those areas.

Council Member Nixon made a motion to deny the amendment to the Land Development Ordinance. 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 Nixon- Aye
Council Member Rayborn- Aye

The motion passed by unanimous vote.

Council Member Wolfe made a motion that the proposed amendment was inconsistent with the Comprehensive Plan based on the following:

“The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Jamestown because it does not manage smart growth decisions that maintain and enhance Jamestown’s special community characteristics and heritage. The proposed amendment does not carefully preserve and enhance Jamestown’s small-town character and community appearance as it grows

The proposed zoning amendment is not reasonable because it does not maintain a strong sense of place and community pride as each new land use fits into our vision for the future. There is also possible excessive noise and light interference to residential districts by placing these uses inappropriately with no adequate buffers.

The proposed zoning amendment is not in the public interest because the proposed amendment does not continue to value, preserve, and enhance existing residential uses and neighborhoods, to maintain the unique small town character of Jamestown. Infill development is encouraged to efficiently use existing infrastructure; however, new buildings and the renovation of existing buildings should fit the scale and character and add value to existing neighborhoods.”

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

- **Public Hearing to consider updates to Solid Waste Ordinance-** Blanchard presented an overview of the updates to the solid waste ordinance. He stated that the current ordinance needed a few changes in order to reflect the new recycling contract.

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

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

Robert Frederick, 706 Ragsdale Rd. - Frederick stated that he appreciated all the effort that had been put into finding a new recycling contractor. He was concerned about some of the phrasing in section 51.12 “Curbside Collection Service.” He felt that the use of the phrase “shall attempt to collect” implied that the Town may not pick up waste on a weekly basis.

Mayor Montgomery asked if there was anyone else that would like to speak in opposition to the update. There was no one. Mayor Montgomery closed the public hearing and opened the floor to Council for discussion.

There was discussion between Council and Cole about the details of the ordinance.

Council Member Rayborn asked for clarification on the use of the phrase “shall attempt to collect” in the ordinance. Cole stated that the Town could not guarantee that the waste would be collected because there may be circumstances that arise that could make it very difficult. For example, severe weather like an ice storm may prevent public service employees from safely collecting curbside waste.

Council Member Nixon made a motion to approve the updates to the solid waste ordinance. 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 Nixon- Aye
- Council Member Rayborn- Aye

The motion passed by unanimous vote.

New Business

- Proclamation declaring September 17th-23rd as Constitution Week- Mayor Montgomery presented the Proclamation to Deborah Beach.

Beach stated that John Montgomery, an ancestor of Mayor Montgomery, had fought during the Revolutionary War. Beach gave a brief history of the Montgomery family's involvement in the war. She presented a patriot pin to Mayor Montgomery.

Montgomery stated that her father was the oldest, surviving descendant of John Montgomery.

- Request to set a public hearing date for rezoning of 5834 West Gate City Blvd. from Industrial (I) to Commercial (C)- Johnson requested that Council set a public hearing date for the rezoning of 5834 W. Gate City Blvd. for October 16th. He noted that the Planning Board would have a public hearing on the property on October 8th.

Council Member Nixon made a motion to set the public hearing date for October 16th. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Consideration of approval of Verizon Wireless lease agreement- Johnson stated that the Town had been approached by Verizon Wireless about the possibility of using an existing water tank for a wireless telecommunications infrastructure. Johnson stated that this would be a good way to reuse the tank and would also justify maintaining it because it would bring in revenue for the Town.

He stated that staff had negotiated a lease of \$31,200 per year with a 2% annual escalator. The initial agreement would be for five years, with the option to extend it to three additional five year terms. Johnson added that staff had also negotiated \$11,000 to be paid by Verizon to have the tank pressure washed prior to the installation of wireless equipment. He stated that he would be happy to address any questions Council may have.

There was discussion between Johnson and Council Members about the details of the lease agreement.

Council Member Nixon asked Johnson if it would be possible to save the revenue generated by the agreement to remove the tank in the future. There was discussion about the potential removal of the tank between Council Members and Johnson.

Council Member Nixon made a motion to authorize the Town Manager to enter into the lease agreement. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

- Budget Amendment #6- Blanchard stated that staff was requesting the budget amendment in order to pay for a secondary water connection to the City of Greensboro's water line on West Gate City Boulevard. He said that the Town's hydrant flows near the end of the water system. The connection would create a water loop and would significantly improve the hydrant flows.

Blanchard stated that the system development fee plus the meter cost for a six inch connection would be \$60, 112. The Town would be responsible for hiring a contractor to install the meter and he estimated it would cost an additional \$25,000 for installation.

Gallman said that staff was requesting a budget amendment in order to pay for the connection. Budget amendment #6 would be for \$85,000.

Council Member Capes made a motion to approve Budget Amendment #6. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

Manager/Committee Reports-

- Manager Report-Cole noted the following:
 - He commended Guilford County Emergency Management and their effort to keep the Town staff informed during Hurricane Florence.
 - He said that the Council retreat had been canceled due to bad weather, and he would be considering rescheduling for January.
 - Cole said that loose leaf pickup would begin on October 23rd and last until February 22nd.

Mayor Montgomery said that she was very impressed with the public service employees during the Hurricane Florence meetings. She stated that they were very committed to the Town and were concerned about any issue that may arise.

Council Member Rayborn also noted that some of the firefighters from Pinecroft Sedgewfield had traveled east in order to help with the relief efforts.

- Council Member Committee Reports-
 - Council Member Wolfe stated that she had gone to the TAC meeting. They had briefly discussed the East Fork pedestrian bridge. They also spoke about the Jamestown Bypass. That project had an estimated completion date of December 2021, and they had acquisitioned 85% of the right-of-way.

Public Comment- Nobody signed up.

Other Business- Council Member Wolfe asked if there were any updates on the delivery of recycling carts. Blanchard said that he had been in contact with Brad Everhart at North Davidson Garbage Services, but they were still working on the details.

Council Member Nixon asked if there had been a new High School Representative selected. McBride stated that she had not heard back from Ragsdale High School about filling the position.

Council Member Capes asked if there had been any progress made on the new website. Johnson said that Sharen Apple had met with the designer and they were working on it.

Council Member Nixon stated that she was still concerned about the condition of the Oakdale Cotton Mill. She stated that she believed that the Town needed to begin to consider moving towards condemnation. Council Member Capes and Council Member Wolfe agreed. Cole stated that he was looking at the options staff had to address the situation.

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

The meeting ended at 7:43 pm.

Mayor

Town Clerk