

Regular Meeting of the Town Council
September 19, 2017
6:30 pm
Minutes & General Account

Council Members Present: Council Members Montgomery, Ragsdale, Nixon, & Straughn

Council Members Absent: Mayor Volz

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

Visitors Present: Sherrie Richmond, Lee Richmond, Martha Wolfe, Robert Frederick, Dan Pritchett, Tom Flannigan, Eric Medlin, Carol Brooks, Deborah Beach, Brandon Cobb, PSFD.

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

- Pledge of Allegiance- Mayor Pro Tem Montgomery led everyone in the Pledge of Allegiance
- Community Reflections- Mayor Pro Tem Montgomery highlighted the following upcoming community events:
 - Thanks to everyone that came out to Music in the Park last Saturday! We hope everyone enjoyed it and had a good time
 - September 23rd- Longrifle makers of Guilford County will hold a seminar in the Ragsdale Civic Center at 12:00 pm
 - October 7th- Jamestown Rotary PHA annual Horse Show will take place at the Piedmont Saddle Club. The show will begin at 8:00 am. Classes will be \$7 for PHA members, \$8 for nonmembers, and all jackpot classes will be \$10
 - October 10th- Primary election for Mayor will be held at the Ragsdale Civic Center from 6:30 am until 7:00 pm. Come out and vote!
 - October 24th- Loose leaf pickup will begin. In order to participate, you will need to: rake leaves to the edge of your yard behind the curb, remove any sticks or debris from the pile, and be careful not to park your vehicles on, in front of, or near the pile of leaves.
- Moment of Silence- Mayor Pro Tem Montgomery called for a moment of silence.

Consent Agenda- The consent agenda included the following items:

- Approval of Minutes from the August 15, 2017 meeting
- Analysis of financial position of the Town of Jamestown
- Resolution in Support of Application for Grant Funding for a Comprehensive Bicycle Master Plan
- Proclamation declaring October 2017 as Domestic Violence Awareness Month
- Resolution for designating Official Depositories

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

Old Business

- Public Hearings
 - **Public Hearing to consider a rezoning request from Gannaway, LLC for the property located at 720 RI W Main St. and 101 Matthews Lane from Conditional Zoning-**

Multifamily Residential (CZ-MFR) and Commercial (C) to Conditional Zoning-

Multifamily Residential (CZ-MFR) - Johnson gave an overview of the rezoning application. He explained that the applicant was requesting that two lots be rezoned to CZ-MFR. He noted that the lots totaled about five and a half acres. Johnson presented photos of the land and stated that it was currently vacant and primarily wooded. He said that the area was within the Town's primary growth area in the 2020 Land Development Plan. Johnson stated that the applicant was interested in building a thirty-six unit townhome development on the property. He also noted that the Planning Board unanimously approved the rezoning. He asked Council if they had any questions.

Council Member Straughn asked Johnson if he believed that there would be any problems with providing the potential townhomes with water/sewer services. Johnson stated that he did not think that providing those utilities would be an issue.

Johnson introduced the applicant.

Dan Pritchett, Jamestown Engineering- Pritchett stated that he was available to answer any questions that the Council may have. He said that Johnson did a good job giving an overview of the rezoning request. He asked Council if they had any questions. There were none.

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

Mayor Pro Tem Montgomery opened the public hearing to anyone that would like to speak against the rezoning.

Robert Frederick, 706 Ragsdale Rd.-Frederick stated that he was concerned that the new townhomes would have similar problems as the Whittington Hall development. He noted that there would only be one access point into the new townhome development which would limit emergency services from being able to respond quickly and effectively. He also was not in favor of rezoning the property from commercial to CZ-MFR. He felt that there were some questions that had gone unanswered.

Council Member Nixon stated that she lived in Whittington Hall and that it had two access points. She was not sure how that was relevant to the rezoning that was being considered.

Council Member Straughn noted that there were other surrounding properties that were zoned as residential areas and he did not see a problem with the request.

Council asked Pritchett if he would like to address Frederick's comments. Pritchett noted that the development would be relatively small and would only require one access point.

Council Member Ragsdale made a motion to approve the rezoning. Council Member Straughn made a second to the motion.

McBride took a roll call vote as follows:

Council Member Ragsdale- Aye
Council Member Montgomery- Aye
Council Member Nixon- Aye
Council Member Straughn- Aye

Council Member Nixon made a motion that the rezoning was consistent with the 2020 Land Development Plan and the Comprehensive Plan. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

- **Public Hearing to consider an amendment to the Land Development Ordinance (LDO): Parking of Oversized/Commercial vehicles in residentially zoned areas-** Johnson gave an overview of the ordinance amendment. He noted that the amendment was a response to complaints that the Town has received over the years about tractor trailers parking in residential areas. He also explained that the amendment had been heard by the Planning Board and Council numerous times and highlighted the changes that resulted from those discussions. Johnson asked if Council had any questions. There were none.

Mayor Pro Tem Montgomery opened the public hearing to anyone that was in favor of the amendment.

Martha Wolfe, 108 Woodland Dr. - Wolfe stated that she was previously a staff member for the Town. She said that staff would frequently receive complaints about oversized vehicles being parked in residential areas. Wolfe noted that staff can only regulate this issue if there is an ordinance pertaining to the problem. She said that she approved of the amendment.

Mayor Pro Tem Montgomery asked if there was anyone else that would like to speak in favor of the amendment. There was no one.

Mayor Pro Tem Montgomery opened the public hearing to anyone that would like to speak against the amendment.

Lee Richmond, 301 Tangle Dr. - Richmond gave an overview of his professional background. He stated that there had been an instance in Winston Salem in which a citizen was affected by a neighbor parking a tractor trailer beside his house. He highlighted the importance of defining the types of vehicles that can be allowed to park in residential areas. He also stated that the Planning Board had been more restrictive on the weight of vehicles allowed in these areas and Council had increased the acceptable weight. He did not understand why they had made this change. He encouraged the Council to seriously consider the impacts the amendment would have.

Eric Medlin, 102 Cloverbrook Ct. Medlin stated that he understood that people were concerned about the noise created by oversized vehicles. However, he cautioned Council to consider the legality of limiting the private property rights of the oversized vehicle owners. He stated that the vehicles exempt from the ordinance (RV's, emergency vehicles, church vans) all generated noise as well. He did not understand

why those vehicles were being exempted from the ordinance if noise was one of the main issues.

Mayor Pro Tem Montgomery asked if there was anyone else that would like to speak in opposition. There was no one. She closed that portion of the public hearing.

Council Member Straughn stated that Council had discussed the amendment at multiple meetings. He said that the issues that he was concerned about and had been contacted about by people within the community had been addressed in the most recent version of the amendment. He also stated that, from his understanding, the Planning Director had legal counsel while writing the amendment. Beth Koonce, Town Attorney, had been involved in drafting the amendment.

Council Member Nixon stated that she was in favor of the current wording of the ordinance. She felt that it struck an appropriate balance so that everyone could enjoy their own property without being too restrictive on anyone's personal rights.

Council Member Straughn made a motion to approve the amendment. Council Member Ragsdale made a second to the motion.

McBride took a roll call vote as follows:

Council Member Ragsdale- Aye
Council Member Montgomery- Aye
Council Member Nixon- Aye
Council Member Straughn- Aye

Council Member Nixon made a motion that the amendment was consistent with the LDO because it strikes an appropriate balance between private interests and the rights of property owners, growth management, community appearance, and quality of life. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

- **Public Hearing to consider new Brunch Ordinance-** Johnson stated that the General Assembly passed a bill that would allow municipalities to adopt an ordinance that would permit the sale of alcoholic beverages beginning at 10:00 am on Sundays. Businesses were currently prohibited from selling alcoholic beverages until 12:00 pm on Sundays. He noted that if the Brunch Bill passed that it would only apply to businesses that were located within Jamestown's corporate limits. He stated that he would be happy to answer any questions that Council may have. There were none.

Mayor Pro Tem Montgomery opened the public hearing to anyone that was in favor of the Brunch Bill. There was no one.

Mayor Pro Tem Montgomery opened the public hearing to anyone that was opposed to the Brunch Bill. There was no one. She closed the public hearing.

Council briefly discussed the Brunch Bill. Council Member Nixon made a motion to approve the Brunch Bill. Council Member Ragsdale made a second to the motion.

McBride took a roll call vote as follows:
Council Member Ragsdale- Aye
Council Member Montgomery- Aye
Council Member Nixon- Aye
Council Member Straughn- Aye

Public Comment- Nobody signed up.

New Business

- Proclamation declaring September 17th through 23rd as Constitution Week- Mayor Pro Tem Montgomery presented a proclamation declaring September 17th through 23rd as Constitution Week to Deborah Beach, Daughters of the American Revolution.
- Proclamation declaring October 2017 as Breast Cancer Awareness Month- Mayor Pro Tem Montgomery presented a proclamation declaring October 17th as Breast Cancer Awareness month.

Cole also noted that staff would be doing a few things around Town Hall in recognition of Breast Cancer Awareness month.

- Proclamation declaring October 2017 as Fire Prevention Month- Mayor Pro Tem Montgomery presented a proclamation declaring October 2017 as Fire Prevention month to Captain Brandon Cobb & Sparky the Fire House Dog.
- Consideration of approval of Reappointment Policy for Citizen Advisory Boards- Cole presented the new reappointment policy for citizen advisory boards. He stated that all appointments to committees will be made by the Town Council and all members must submit an application. He noted that vacancies will be advertised and Members that would like to be reappointed could resubmit their application for consideration. He gave an overview of the changes that would be implemented as a result of the policy.

Council Member Straughn made a motion to approve the policy. Council Member Nixon made a second to the motion. The motion passed by unanimous vote.

Public Comment- Nobody signed up

Other Business- There was none.

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

The meeting ended at 7:15 pm.

Mayor

Town Clerk