

**Regular Meeting of the Town Council
September 19, 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, Anna Hawryluk, Ty Cheek, Faith Wilson, Heather Lunsford, & Beth Koonce, Town Attorney

Visitors Present: William McLean, Jr., Mary Fay Bodenheimer, Sharla Gardner, Lee Richmond, Sherrie Richmond, Sarah Glanville, Pam Burgess, Nancy Mazza, & 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- Blanchard 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 the agenda.

Council Member Rayborn requested that the “Proclamation declaring September 17th-23rd as Constitution Week” be removed from the consent agenda and added as the first item after the first public comment period. She also requested to remove the consideration of contracts for services with the Jamestown Historic Society, JYL, YMCA, and the Jamestown Public Library from the agenda.

Council Member Rayborn made a motion to approve the agenda for the September 19th Town Council meeting 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 August 22nd Regular Town Council Meeting
- Approval & Sealing of the August 22nd Closed Session minutes
- Proclamation Fall Litter Sweep 2023
- Resolution honoring the Retirement of Judy B. Gallman, Finance Director
- Reappointment of Amy Reese, Denise Johnson, & Charles Clapp, JR. to the Parks and 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 #5
- Budget Amendment #6

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

(Proclamation Fall Litter Sweep 2023, Resolution honoring the Retirement of Judy B. Gallman, Budget Amendment #5, & Budget Amendment #6)

Public Comment- Nobody spoke.

Presentation of Proclamation declaring September 17th-23rd as Constitution Week- Mayor Montgomery presented the Proclamation declaring September 17th-23rd as Constitution Week to Nancy Mazza, Daughters of the American Revolution (DAR) Representative.

(Proclamation declaring September 17th-23rd as Constitution Week)

Old Business-

- Public Hearing for the consideration of amendments to Chapter 17: Signs in the Land Development Ordinance (LDO)- Hawryluk stated that she had presented information on the amendments at the August 22nd Town Council meeting and that the hearing had been continued. She said that Council Member Straughn requested that a double negative be removed from the section regarding flag height. She noted that she had made that correction. She added that Council Member Wolfe had requested that a timeframe be added to violations related to abandoned signs. Hawryluk said that property owners would have 30 days to address abandoned signs as established in the notice of violation. Hawryluk also spoke about digital changeable copy signs. She reiterated that her recommendation was to allow those types of signs in the following zoning districts: Civic, Commercial, and Bypass.

Council Member Straughn confirmed that freedom of speech issues would not be regulated by the Town with Hawryluk.

Mayor Montgomery opened the public hearing to anyone that would like to speak regarding the amendments to the LDO.

Nobody came forward to speak.

Mayor Montgomery closed the public hearing and opened the floor to Council for discussion.

Council Member Wolfe discussed the section regarding murals. Council Member Wolfe spoke about potential restrictions on the percentage of windows that could be covered on businesses with Hawryluk.

Council Member Wolfe said that she had received complaints from residents about the lighting that emanates from the digital sign on West Main Street. Council Member Wolfe said that the Town should be hesitant to allow them anywhere else. She stated that the Comprehensive Plan highlighted the importance of a "sense of place" and she did not believe that digital signs enhanced the Town in any way.

Council Member Rayborn agreed with Council Member Wolfe. She said that she would prefer not to have digital changeable copy signs in Town.

Hawryluk stated that Council could allow digital signs through the Master Signage Plan process. She added that approval of those signs would go through a similar process as a rezoning. She noted that Council's consideration of a digital sign would have to be advertised, property owners would need to be notified, and Council would be able to make a decision at that time regarding specific situations. She added that she believed Civic, Commercial, and Bypass districts were appropriate areas for digital signs. She stated that she could change the amendments to reflect the requirement of the signs to go through the Master Signage Plan process if they would prefer.

Council Member Wolfe said that she was not in favor of allowing digital signs anywhere else in Town. She added that she was fine with the amendments in the other sections.

Council Member Rayborn stated that she believed digital signage should be considered on a case-by-case basis. Hawryluk said that she could include digital changeable copy signs in the prohibited signs section and require that they go through a Master Signage Plan process.

Council Member Straughn asked if Koonce had any suggestions. She stated that she agreed with Hawryluk's recommendation.

Council Member Rayborn requested that digital copy changeable signs be added to section "17.5 Prohibited Signs and Sign Characteristics," and that section "17.7-2A Digital Signage" be removed from the LDO with the exception of the following: "5. Menu Boards," "6. Time and temperature signs...," and "7. Fuel Stations."

Council Members confirmed that the proposed changes would be effective immediately with Hawryluk.

Council Member Rayborn made a motion to approve the amendments to Chapter 17: Signs in the LDO as presented with the requested changes. Council Member Capes made a second to the motion.

Weiner took a roll call vote as follows:

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

The motion passed by unanimous vote.

Council Member Wolfe made the following motion:

"I make a motion that the proposed zoning amendments be approved as amended based on the following:

1. The Chapter 17: Signs amendments are consistent with the adopted Town of Jamestown Comprehensive Plan because they protect established neighborhoods from encroachment by incompatible land uses throughout appropriate application of zoning regulations. AND
2. The Chapter 17: Signs amendments are reasonable because they promote and maintain the quality of life and aesthetic standards that our residents expect in Jamestown. AND
3. The text amendments to Chapter 17 are in the public interest because they seek to preserve the culture and historic value that provides an everyday reminder of the Town's proud past and they contribute to the Town's identity or sense of place."

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

Council Member Wolfe made the following motion:

"I make a motion that the proposed zoning amendments to Chapter 11.5 Landscape, Chapter 19.30-1 Pet Waste, and the Permitted Use Table be approved based on the following:

1. The proposed amendments to Chapter 11.5 Landscape, Chapter 19.30-1 Pet Waste, and the Permitted Use Table are consistent with the adopted Town of Jamestown Comprehensive Plan because periodic updates to zoning texts are necessary based on changing conditions, regulations, and laws. Updates are necessary to ensure the Land Development Ordinance is in compliance with current NC General Statutes and all applicable laws. AND
2. The proposed amendments are reasonable because the amendments to the Land Development Ordinance are in compliance with State and Federal laws that the Town is required to follow. The text amendments clarify the language with minor changes to Chapter 11.5 Landscape, Chapter 19.30-1 Pet Waste, and the Permitted Use Table to make the chapter easier to interpret and apply. AND
3. The proposed zoning text amendments to Chapter 11.5 Landscape, Chapter 19.30-1 Pet Waste, and the Permitted Use Table are in the public interest because they will assist the Town in the administration of the Land Development Ordinance."

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

New Business-

- Consideration of acceptance of a Blue Star Memorial Marker from the Cedarwood Garden Club- Hawryluk stated that the Cedarwood Garden Club would like to purchase and donate a Gold Star Memorial Marker to be placed in Wrenn Miller Park. She added that the Gold Star Memorial Marker program was operated by NCDOT and it honored the men and women that served in the United States Armed Services with large metal markers. She added that staff was requesting that Council accept a Gold Star Memorial Marker for installation at Wrenn Miller Park. She noted that the Jamestown Veterans had been contacted regarding the donation and would be

involved in determining the placement of the sign. She introduced Sharla Gardner, Cedarwood Garden Club Representative.

Gardner stated that the Garden Club was excited to sponsor something special for the veterans in the community. She said that the Jamestown Veterans stated that they would be honored to receive the marker. She added that they had requested a Golf Star Marker instead of a Blue Star Marker because it represented all those that had fallen during their service.

Council Member Rayborn thanked the Garden Club for their donation.

Council Member Wolfe made a motion to accept a Gold Star Memorial Marker for installation at Wrenn Miller Park with the condition that the Jamestown Veterans Committee approves the placement of the marker. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

- Consideration of award of contract to the lowest, responsive, responsible bidder for the Jamestown Park Dam #1 Storm Drainage Improvements- Blanchard stated that staff opened bids for the Jamestown Park Dam #1 Storm Drainage Improvements Project the day before the meeting. He said that the Town had received two bids for the project. He noted that the low bid was from Dillon and Griffith Enterprise, LLC in the amount of \$260,240. He added that staff had budgeted \$210,000 for the repairs. Therefore, Blanchard said that staff was requesting that Council approve Budget Amendment #7 to cover the additional costs. He noted that staff had met with the contractor to reduce any possible expenditures for the project. He requested that Council approve Budget Amendment #7 and that they award the contract to Dillon and Griffith in the amount of \$260,240.

Council Member Rayborn made a motion to approve Budget Amendment #7. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

Council Member Capes made a motion to award the contract to the lowest, responsive, responsible bidder, Dillon and Griffith Enterprise, LLC, in the amount of \$260,240 for the Jamestown Park Dam #1 Storm Drainage Improvements 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.

(Budget Amendment #7)

Council Member Straughn stated that American Rescue Plan Act (ARPA) funding would cover \$210,000 of the project for the record.

Manager/Committee Reports-

- Manager Report- Johnson updated Council about ongoing projects. He stated that the contractor was finalizing the interior components of the Recreation Maintenance Building, Town Hall renovations were 100% complete, and that final touches were being made on the Golf Course bathrooms. He stated that the September 1st Music in the Park event had the highest turnout in the history of the concert series. He encouraged everyone to attend the October 6th event that would feature "The Ryan Perry Band." He added that the Public Services staff had completed repairs to the brick walkway around the fountain at the Jamestown Public Library. He

noted that the trees around the fountain had been removed and replaced with evergreen species which should result in less maintenance issues with tree roots pushing up the brick pavers.

Council Member Straughn said that he had gone to the Jamestown Park and Golf Course after Council had received a complaint about the course's maintenance. He stated that he made it a point to speak with as many patrons as possible and nobody had anything negative to say about the golf course.

Council Member Rayborn suggested that the Town hold a toilet paper ribbon cutting for the bathroom projects. Johnson happily agreed to schedule a toilet paper ribbon cutting.

- Council Member Committee Reports- There were no reports given.

Public Comment- Nobody signed up.

Other Business- Council Member Straughn said that he had gone to the YMCA and had confirmed that Jamestown residents were given a discount. He had done so in preparation for the contract for services discussion. He noted that they had confirmed that his address was within the corporate limits of the Town.

Council Member Wolfe requested that the motion regarding the approval of the LDO amendments be amended to include "to be effective immediately" for the record.

Council Member Rayborn amended her motion regarding the proposed amendments to the Chapter: 17 Signs in the LDO. Her motion was as follows: I make a motion to approve the amendments to Chapter 17: Signs in the LDO as presented with the requested changes to be effective immediately. Council Member Straughn made a second to the motion.

Weiner took a roll call vote as follows:

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


The motion passed by unanimous vote.

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

The meeting ended at 6:52 pm.



Lynn Montgomery, Mayor

ATTEST 

Nancy Avery, Interim Town Clerk