

Regular Meeting of the Town Council

Council Chambers

March 18, 2014

6:30 PM

Minutes & General Account

Council Member Present: Mayor Volz, Council Members Thomas, Montgomery, Nixon-Roney & Ragsdale

Staff Present: Chuck Smith, Paul Blanchard, Judy Gallman, Matthew Johnson, Martha Wolfe and Beth Koonce, Town Attorney

Visitors Present: Carol Brooks of the Jamestown News

1. Call to Order – Mayor Volz called the meeting to order.
2. Community Reflections – Mayor Volz gave the following community events & news.
 - March 8th Rabies Clinic rescheduled to October 18th, 2014
 - March 21st Arbor Day rescheduled to April 11th, 2014
 - 3rd Annual Easter Egg Hunt Festival scheduled for April 12th, 2014 from 10:00 am – 2:00 pm at the Charles P. Turner Community Parks & Sports Complex
 - Water Quality Preventive Maintenance Program scheduled April 14th, 2014 – May 11th, 2014

On a sad note, John Frezell, former Town Manager from 1980-2006, passed away on February 26th, 2014. Our thoughts and prayers go out to his wife and family. The Mayor said the Town will donate an 8 X 8 brick in memory of John Frezell to be placed in the Veterans Memorial area of the Wrenn Miller Park.

The Mayor called for a moment of silence.

3. Approval of minutes from the February 18th, 2014 meeting – Council Member Montgomery made a motion to approve as presented the Special CIP Meeting & Regular Council Meeting minutes from February 18th, 2014. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.
4. Public Comment Period – No one registered to speak.
5. Consideration of amendment to Interlocal Agreement on Tax Collection with Guilford County to reflect reduction of tax discount rate – Beth Koonce, Town Attorney, stated Guilford County has decided to reduce the discount rate for early payment of property taxes from 1% to .5% effective with the current tax year. This will result in some increase revenue. Guilford County is asking the Town Council to approve this amendment to the discount tax rate. Guilford County collects the property taxes for the Town of Jamestown. This amendment will affect Jamestown property taxes as well. Thus, the Council is asked to ratify the amendment.

Council Member Ragsdale made a motion to approve the request by Guilford County to reduce the discount rate for early payment of property tax from 1% to .5% effective current tax year 2014. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

6. Update on Right-of-Way Activities Maintenance Agreement – The Town Attorney stated during his term, former Council Member Tommy Walls, brought before the Council the subject of Duke Energy's tree trimming and vegetative policies. He wanted the Town to draft a more stringent utilities right-of-way maintenance policy/ordinance to keep Duke Energy from being as aggressive with tree trimming.

The City of Greensboro had a similar interest in curtailing Duke's tree trimming and vegetative maintenance. Greensboro entered into negotiations with Duke and passed an ordinance. Duke was agreeable to most of the ordinance with exception of tree trimming and large tree removal. Duke appealed the ordinance to the N. C. Utilities Commission. Duke's issue was whether or not the municipalities' police power to regulate activities within its city limits outranks the N. C. Utilities Commission regulating the practices of utilities in the State of North Carolina.

The Utilities Commission heard the case and the decision was announced on March 5th, 2014. The Utilities Commission ruled that the Utilities Commission had the right to decide how utilities were regulated including tree trimming policies. However, if Duke and a municipality wanted to agree on a tree trimming policy, they would not interfere, that would be a private contract. The City of Greensboro is considering appealing the case to the Court of Appeals. This process may take a while.

Koonce stated in all fairness, Duke's concern is having in place a different policy for individual towns, cities and counties. It would be difficult for the crews working statewide to know where one jurisdiction ends and another begins. Duke would prefer a Statewide Policy.

Council discussed policies and practices. It was decided to wait to see how the City of Greensboro proceeds with their appeal.

7. Set Public Hearing date to consider an amendment to the Ordinance Prohibiting Concealed Weapons on Municipal Properties – Koonce advised since the Town's ordinance was adopted, the State of North Carolina has changed their ordinance regarding concealed weapons. Amendments may be required to the Town's ordinance. A Public Hearing is requested for April 15, 2014. Council Member Nixon-Roney made a motion to set a Public Hearing date for April 15, 2014 to consider amendments to the Ordinance Prohibiting Concealed Weapons on Municipal Properties. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

8. Set Public Hearing date to consider an amendment to the Ordinance related to the Collection of Solid Waste – Paul Blanchard requested a Public Hearing Date for the next Regular Council Meeting to consider amendments to the Solid Waste Ordinance.

Council Member Nixon-Roney made a motion to approve a Public Hearing to consider amendments to the Ordinance Related to the Collection of Solid Waste for April 15, 2014 Council Meeting. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

9. Recommendation for Kearns St. Water Line Replacement Project – Paul Blanchard reported the Town held a bid opening on March 13th, 2014 at 2:00 pm in the Council Chambers. The bids received were for

the water project to replace the existing 8" water line on Kearns St. This project was included on the 2013-2014 CIP projects list. Bids as follows:

- | | |
|-----------------------------|---------------|
| 1. Breece Enterprises, Inc. | \$170,065.00 |
| 2. Yates Construction. Inc. | \$191,605.00 |
| 3. Russ, Inc. | \$194,415.00* |
| * Bid bond not included | |

Staff recommends awarding the bid to the lowest bidder, Breece Enterprises, Inc., in the amount of \$170,065.00. Staff stated the Town has used this contractor many times before and they are pleased with their performance.

Council Member Nixon-Roney made a motion to approve the bid of Breece Enterprises, Inc. in the amount of \$170,065.00. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

10. Discussion of land use along U-2412A NCDOT Project – Johnson presented maps showing the Town of Jamestown future land use and areas anticipated as desirable for development. Areas included: i.) Koury property near Gardner Hill Drive and Stanford Rd., ii.) Taylor & Auman tracts near Harvey Rd., iii.) Sydnor tract near Dillon Rd.

The NCDOT is currently building section B of the Bypass project. Section A of the Bypass project route begins at Vickery Chapel Rd. to Hwy. 311. Section A is currently listed as an unfunded project with estimated construction date of 2030. However, this date could change. The Koury Property would most likely be a desirable site for development. The Taylor tract and Auman tract are potential areas for development. Although, no discussion has occurred with the owners. The Sydnor tract is a challenging site due to floodplain issues. The Town's future land use map reflects anticipation of the development of the Koury Property. Johnson stated staff wanted to bring these properties to the attention of the Council to begin discussion of possible development and land use in these areas.

The Mayor informed the Council of a recent meeting he attended in Greensboro. There is a lot of interest in moving this bypass project forward and completing the whole project; section A & B. The Greensboro MPO is in support of it. Developers anticipate a great deal of economic development along the bypass once completed. Mayor Volz expressed concern over how commercial development could affect the downtown businesses of Jamestown.

Council discussed the Bypass and the developable areas within Jamestown's ETJ. It was discussed that annexation of parcels would be triggered by providing water/sewer and city services to the areas. No discussions have occurred to date regarding development. At this point, it would not be feasible to service the properties.

It was noted that at grade intersections will be located at Harvey Rd., Vickery Chapel Rd. and Dillon Rd. The Bypass will cross over Oakdale Rd. Current zoning for these areas consists of:
Auman & Taylor tract – Agriculture
Koury Property – By Pass District – Commercial Zoning
Sydnor Tract – Single Family Residential

Mayor Volz suggested studying these areas to be proactive in regulating land use to avoid competition with our downtown businesses. The Mayor suggested asking the Planning Board to study the possible future uses in these areas for a 5 year + projection.

Johnson said it is difficult to determine what might happen. Council discussed the potential uses. Mayor Volz feels we need to be proactive. Johnson stated the first step would be to update the Town's Comprehensive Plan, focusing on the corridor of the road utilizing the Planning Board. Especially now that the ETJ of the Town has changed since the Comprehensive Plan was approved.

11. Presentation of High Point Metropolitan Planning Organization projects for consideration – Mayor Volz asked Smith to make the presentation. Smith stated this discussion was related to proposing projects for consideration for the next cycle of projects for the TIP program. After meeting with HPMPO representative, it was determined that the Town of Jamestown does not have any appropriate projects to submit at this time. HPMPO recommended the Town prepare plans for their desired project and submit next year.

12. Consideration of approval of Special Event Permit from Jamestown Lions Club – Martha Wolfe submitted a request from the Jamestown Lions Club to sponsor a Memorial Day Parade instead of a July 4th parade. July 4th is a difficult time of year to host a parade. Many people are out of town and businesses are closed.

The Jamestown Lions Club and Jamestown Veterans Committee have partnered and request Council approval to sponsor a Memorial Day Parade to honor our Military and Veterans. They request the Council approve funding the fee for the law enforcement required for traffic control in the approximate amount of \$400.00.

Council Member Nixon-Roney made a motion to approve the Special Event Permit from the Jamestown Lions Club to sponsor a Memorial Day Parade and fund the fee for law enforcement in the amount of approximately \$400.00. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

Wolfe invited the Council to ride in the parade if they were available. Please let her know.

13. Consideration of approval of Special Event Permit for Pinecroft Sedgefield Fire Department – Martha Wolfe submitted a request for the PSFD to hold a 5K Run on May 3, 2014. This is a fund raiser for the Fire Dept. to purchase fitness training equipment for the firefighters. The Fire Dept. is not requesting any services or funding from the Town for this event.

Council Member Thomas made a motion to approve the Special Event Permit for a 5K Run for PSFD on May 3, 2014. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

Council Member Montgomery stated there is a big 5K Race in High Point on that date. The Fire Dept. may be more successful if they were to hold the event on May 10, 2014. Wolfe said she would share that information. If the Fire Dept. decides to adjust the date, we will come back to the Council to seek approval.

14. Proclamation Spring Litter Sweep – Wolfe presented the Proclamation for Spring Litter Sweep. The event will be held on Saturday May 10th, 2014 at 9:00 am – Ragsdale High School Key Club will participate again this year.

(Proclamation)

15. Budget Amendment – Gallman presented budget amendment #7. The first part of the amendment is in the amount of \$2500.00 to record the sale of the old irrigation pumps and picnic tables from the Jamestown Park and Golf Course. The second part is to budget for resources needed for ice storm clean-up. The amendment adjusts for overtime pay for Public Services and Park crews, hiring of temporary personnel for cleanup, possible hiring of contractors for cleanup work, landfill fees, and equipment rental for cleanup. The request for approval of consideration is \$131,900.00. These funds are from appropriated fund balance. Gallman stated we are hoping that the Town will receive Federal Emergency Management Agency (FEMA) assistance to help with cleanup costs.

The Council discussed the associated costs for the cleanup. The Town Manager stated representatives from FEMA were in Town today. Guilford County Emergency Management Director, stated the Town did meet the required thresholds for disaster damage and cleanup cost on a County and State level. This is promising and we hope to hear by the end of the week. Smith said this ice storm of 2014 far exceeds the ice storm of 2002 & 2003. Very costly not only for Jamestown but for Guilford County.

In addition to Budget Amendment #7, Gallman presented a schedule of Revenues, Expenditures and changes in Fund Balance for the Wrenn Miller Capital Project Fund. Donations came in more than anticipated. Requesting to increase the project authorization for donations in the amount of \$7100.00 and increase the other assets not capitalized line item in the amount of \$7100.00.

Council Member Nixon-Roney made a motion to amend budget amendment #7 and Project Authorization for Wrenn-Miller Capital Project Fund. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

16. Analysis of Financial Position of the Town of Jamestown – Gallman presented the financial statement for month ending February 28, 2014. She highlighted the cash balances for the Town are approximately 8.7 million of that approximately 2.7 million in reserves.

The detailed financial statement reflects reimbursement from NCDOT for sidewalk reimbursement. The remaining are normal reoccurring expenses.

There were no questions for Gallman.

17. Consideration of approval of Audit Contract for fiscal year June 2014 - Gallman presented a proposal from Dixon Hughes to conduct the audit for the Town for fiscal year end June 2014. Dixon Hughes preformed the audit last year for a fee of \$19,400.00. This year's proposal is for \$19,800.00.

Council Member Montgomery made a motion to approve the audit contract with Dixon Hughes in the amount of \$19,800.00. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

18. Public Comment Period – No one registered to speak.

19. Other business

Mayor Volz requested Paul Blanchard to give an update on the ice storm cleanup. Blanchard reported that we projected a total of 22.7 miles of roads to cleanup. Crews started last Thursday and roughly 19% of the roads have had 1 pickup. We also know that some people have yet to bring their yard & storm debris to the road. We estimate that the Town will generate approximately 800 tons of materials. At first City of High Point was not charging tipping fees to municipalities, however, going forward the normal rate of \$36.00 a ton will be applied.

Blanchard said regarding the limbs and trees, 6' length works best. Anything over 7' is hard to get into the hopper of the trucks and slows progress. Please bear with us. Blanchard estimates 8 weeks to compete unless the Town hires assistance.

Still under other business, Council Member Nixon-Roney asked if there was anything to report on the preliminary plans architect, Gary Robbins, is working on for the Town. Smith stated Gallman is working on getting a meeting date with the Local Government Commission to discuss financing options. The design is on hold for now.

Council Member Montgomery made a motion to go into close session for attorney client privilege. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote. Council reconvened to the Office of the Town Manager.

_____Closed Session_____

Council Member Nixon-Roney made a motion to go out of closed session and resume the regular session. Council Member Montgomery made a second to the motion. Motion passed by unanimous vote.

In regular session Council Member Nixon-Roney made a motion to go into closed session to discuss a personnel matter. Council Member Montgomery made a second to the motion. Council agreed.

_____Closed Session_____

Council Member Nixon-Roney made a motion to go out of closed session and resume the regular session. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

The regular session resumed. Council Member Nixon-Roney made a motion to adjourn. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote. The meeting ended at 8:58pm.