

Regular Meeting of the Town Council
November 18, 2014

6:30 pm

Council Chambers

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

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

Visitors Present: Peter Freeman, John Kennett, Joyce Volz, Charlie Dye, and Carol Brooks of the Jamestown News, Art Wise, Tom Tervo, Sarah Glanville and Ira Wade

1. Call to Order – Mayor Volz called the meeting to order.
2. Community Reflections – Mayor Volz made the following announcements:
 - The father of Town Employee, Sharen Apple, passed away Monday 11-17-14. Please keep her in your prayers.
 - The Town Hall will be closed for the Thanksgiving Holiday on Thursday 11-27 and Friday 11-28-14. There will be no garbage pickup on Friday 11-28-14
 - The Jamestown Rotary Club Christmas Parade will be held on Sunday December 7th, 2014 at 3:00 pm.
 - The Jamestown Public Library will hold “Kid “N” Klaus” at the Library immediately following the parade.
 - The Town of Jamestown will host the Christmas Tree Lighting on Sunday December 7th, 2014 at 5:30 pm on the front lawn of the library. Hot chocolate and cookies will be served for the public. The Ragsdale High School Chorus will lead us in Christmas carols.
 - The December 16, 2014 Town Council meeting will be held at 6:00 pm.

The Mayor asked for everyone to bow their heads for a moment of silence.

3. Approval of minutes from the October 21, 2014 meeting – Council Member Ragsdale made a motion to approve the minutes as presented. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.
4. Public Hearing to consider text amendment 2014-06 to the Land Development Ordinance regarding the definition of gravel – Matthew Johnson stated the NC General Assembly passed session law recently which amended the definition and treatment of gravel. Therefore, the Town is requesting an amendment to the LDO to comply with this legislative change. The Town is requesting the adoption of the DENR gravel definition.

Art Wise, Vice-Chair of the Planning Board, stated the Planning Board felt this was an obvious action to approve. They recommended the Council adopt this amendment.

Mayor Volz opened the Public Comment Portion of the Public Hearing. The Mayor asked if there was anyone in favor of the amendment to please come forward, give your name and address. Please adhere to the 3 minute time limit. Seeing none, Mayor Volz asked for anyone opposed to the amendment to please come forward. Give your name & address, please adhere to the 3 minute time limit. Seeing none. Mayor Volz closed the Public Comment Portion of the Public Hearing. He opened to the Council for discussion.

Council Member Nixon-Roney made a motion to approve the DENR's definition of gravel. Council Member Montgomery made a second to the motion. On a roll call vote:

Council Member Ragsdale voted aye
Council Member Montgomery voted aye
Council Member Nixon-Roney voted aye
Council Member Thomas voted aye

The motion was approved by unanimous vote.

Council Member Nixon-Roney made a motion that the Council adopt a finding that the definition adopted in text amendment 2014-06 is consistent with Jamestown's 2020 Land Development Plan and is reasonable and in the public interest for the following reason.

It is logical to adopt the definition as approved by Department of Environment & Natural Resources.

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

(Statement of consistency)

5. Public Hearing to consider text amendment 2014-07 to the LDO regarding the zoning of temporary health care structures – Johnson started this is another change adopted in the recent session of the NC General Assembly. The General Assembly defined "Temporary Health Care Structures" as a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that is (i) primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with state building code. Placing the temporary family health care structure on a permanent foundation shall not be required or permitted. Johnson said this provision was adopted and is part of the North Carolina General Statutes. The Town does have to make provisions for the placement of temporary health care structures.

Art Wise stated the Planning Board felt this amendment to include temporary health care structures meets a specific need. The State legislature were very clear on what they wanted included in this law. The Planning Board voted unanimously to recommend approval of the amendment to the Town Council.

Mayor Volz opened the Public Comment Portion of the Public Hearing. He asked for anyone in favor of the amendment to the LDO to please come forward. Give your name and address. Please adhere to the 3 minute time limit. Seeing none, the Mayor asked for anyone that was opposed to the amendment to please come forward, give you name and address. Please adhere to the 3 minute time limit. There was no one. The Mayor closed the Public Comment Portion of the Public Hearing.

The Mayor opened to the Council for discussion. Council Member Montgomery asked if the temporary health care structures would be required to have a separate meter for water & electric. Johnson stated the Town can require a separate meter for the water.

Johnson further stated the structure must be removed within 60 days in which the mentally or physically impaired person is no longer in need of the assistance provided in the GS 160A-383.5. The Town has the right to do annual inspections on the structure to make sure the structure and usage is still in compliance. The applicant has to provide to the Town with evidence of compliance on an annual basis as long as the structure remains on the property. Evidence may involve inspection by the Town of the temporary family health care structure at reasonable times and annual renewal of the doctor's certificate. The General Assembly has passed this amendment into law and the Town does have to make provisions for this usage in order to be in compliance. The temporary structure does have to meet town set back requirements and meet state building code.

Council Member Thomas made a motion to approve text amendment 2014-07 to the LDO regarding the zoning of temporary health care structures. Council Member Nixon-Roney made a second to the motion. On a roll call vote:

Council Member Ragsdale voted aye

Council Member Montgomery voted aye

Council Member Nixon-Roney voted age

Council Member Thomas voted aye

The motion passed by unanimous vote.

Council Member Ragsdale made a motion that we adopt the finding to accept text amendment 2014-07 limited to the LDO regarding the zoning of temporary health care structures and that it is consistent with Jamestown's 2020 LDP and is reasonable and in the public interest for the following reason:

It is a state law requirement and therefore the approval is necessary and logical to bring the Town of Jamestown ordinance into compliance with the NC General Statues.

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

(Statement of Consistency)

6. Public Hearing to consider text amendment 2014-08 to the LDO regarding the addition of flexibility for parking standards – Johnson stated this amendment was presented a few months ago. It was presented along with the amendment to the parking table for churches, synagogues, and places of worship. The Planning Board approved the amendment to the parking table however, the Board tabled the flexibility in parking standards amendment for further discussion. At the last Planning Board meeting, the Board determined that they accepted the language of the amendment but wanted to make some changes to the proposed amendment. The Planning Board recommended that deviations up to 10% (not 25%) are permitted when the TRC can determine that the requirements for a particular situation are unreasonable. Applicant must present the request in writing and TRC must respond in writing for allowing or denying the deviation. The Planning Board asked that the Board be notified in writing if this ruling was ever considered by the TRC.

Art Wise, Planning Board Vice Chair, said the original request was for up to 25% deviation in parking could be approved by the TRC. The Planning Board felt that was too large a percentage to allow for

change. The Planning Board felt that a 10% deviation would be acceptable. The Planning Board also asked to be notified if the 10% deviation was applied to a property. The Planning Board felt that parking is a big issue and it should be a part of the Planning Board's job to participate in matters relating to parking.

Mayor Volz opened the Public Comment Portion of the Public Hearing. He asked for anyone in favor of the amendment to add flexibility in parking standards to please come forward. Give your name and address. Please adhere to the 3 minute time limit. Seeing none, the Mayor asked for anyone opposed to the amendment to please come forward. Give your name & address, please adhere to the 3 minute time limit. There was no one. The Mayor closed the Public Comment Portion of the Public Hearing. He turned over to the Council for discussion.

Council Member Nixon-Roney made a motion to adopt the text amendment 2014-07 to the LDO regarding the addition of flexibility in parking standards as presented. Council Member Montgomery made a second to the motion. On a roll call vote:

Council Member Ragsdale voted aye
Council Member Montgomery voted aye
Council Member Nixon-Roney voted aye
Council member Thomas voted aye

The motion passed by unanimous vote.

Council Member Nixon-Roney made a motion to adopt a finding that approving the text amendment 2014-08 as described is consistent with Jamestown's 2020 Land Development Plan and is reasonable and in the public interest for the following reason:

The change to 10% reduced from the proposed 25% is reasonable and so meets the needs of the Town.

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

(Statement of Consistency)

7. Public Comment Period – Charlie Dye, 204 Wiltshire Drive, Mr. Dye gave figures to the Town Council. He stated he would have a copy of these figures in the Council boxes this week. He said on June 1, 2013 Thomasville Golf Course made the final payment of an 18 year payoff installment of approximately 3 million dollars in credit obligation on the golf course. He stated that Thomasville Golf Course actual revenue was \$552,800.00. Their profit was \$46,089.00

Mr. Dye said Jamestown's report for 2013/14 was income of \$708,177.00. The expenditure was \$1,400,832.00. This costs the residents of Jamestown \$296,710.00. He said as he sees it, the Golf Course has had approximately ¼ million dollars expense for the last 3 years. 25% of the Town budget is for the Golf Course.

Dye said he asked at the last meeting, when would the ½ million dollar loan be paid back to the water & sewer fund. This money was loaned from the water/sewer fund to the Golf Course for the irrigation project. Dye said before we take on any other expenditures, the Council should seriously consider paying back that obligation into the water/sewer fund before any other outside expenditures.

8. Discussion of clubhouse renovation project – Peter Freeman and John Kennett of Freeman Kennett Architects – Smith said the Town put out RFQ for architectural services for the clubhouse project. The Town received 5 packages from architectural firms. The staff reviewed the 5 firms and selected the top 3. Staff selected Freeman Kennett architects as the top firm.

Peter Freeman & John Kennett were present for the meeting. Peter Freeman said they have visited the Jamestown facility a couple of times. They met with Smith & Blanchard and inspected the building. The important thing is they saw the great opportunities and the asset the Town has in the clubhouse. The location is fantastic. Beautiful view, great reputation. The building itself has some great assets. It is a good building. Easy roof line to do additions. They looked at some of the needs and some of our recommendations for what the facility may need. Listed below:

- HVAC System
- Energy Efficient issues with single glazed windows
- Kitchen and size of kitchen
- Locker Room & Restroom – The locker room is probably bigger than is needed. We could use some of this space for another need.
- Plumbing needs updating
- Aesthetic issues – “way-finding”
- Possible addition of community room

The architects figured a rough educated guess of the projected cost. These numbers are estimates only. No design work has been done at this point. No study has been conducted. They just used a “rule of thumb” and experience with similar type buildings.

Basically the existing building is 4,064 sq. ft. Assign a number of \$44.00 sq. ft. to up-fit the building results in the amounts below:

General Construction	\$180,000.00
HVAC	\$ 80,000.00
Electrical	\$ 44,000.00
Plumbing	\$ 16,000.00
Equipment	<u>\$ 29,000.00</u>
 Total	 \$349,000.00

Addition

Community Room – 1200 sq. ft. @ 100.00 a ft.	\$120,000.00
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They sketched out the building to see what could be done to get the most work for the money. As Freeman said, this is all conjecture. They have yet to meet with a user group or Town Council. However, transitioning the Grill Room to a Community Room and add Grill Room on the back of building where you have a great view of the golf course seems appealing. An interesting fact is that approximately 70% of the work will be on renovating the existing facility and 30% of the work would be to do the addition.

The architects sketched new additional porches. This provides a new look and provides shading and added energy efficiency. This is simply achieved by extending the roof line. Also gives a more specified entry for the Golf Course and Community Room.

The Grill or patio area provides a great view. Possibly add an indoor/outdoor fire place. This gives a lot more room for a special event. The architect is recommending to do a concept study. The concept phase would include professional design services as follows:

1. Existing building inventory and maintenance
2. Existing floor plan
3. Building programming for proposed spaces
4. Concept floor plan
5. Concept exterior elevations
6. Concept 3d sketches
7. Preliminary project cost development

Smith said this concept study will get us to that first step in the process. This study will provide a preliminary project cost. At that point, Council can decide if we want to move forward with the project.

Peter Freeman stated renovating of the core building will result in some immediate savings in maintenance cost, especially heating & cooling. Council Member Nixon-Roney stated doing nothing is not an option. Mayor Volz commented that this first step is to get pricing for the project. The cost for this concept study proposed by Freeman Kennett architect firm is \$7,600.00. Freeman stated the amount to be applied as a credit towards design & construction phase services if the Council moves forward with the project to the next phase.

Council Member Montgomery stated this study would be necessary would it not, to present it for financial and public hearing. Smith said if we had a public forum we would have concept drawings to present to the public. This concept study would be excellent information. This would be the first step of many.

Mayor Volz stated if we want to use the Public Service Facility as collateral and seek financing approval for the property, we will have to move fairly quickly. The Clubhouse has to be fixed and the Golf Course has to be fixed.

Smith stated that the Council has consciously set money aside for the golf course repair. He stated we have a pretty healthy fund balance. Judy Gallman, Finance Director, gave the following breakdown of available funds.

- General Capital Reserve Fund as of 11-17-14 - \$222,722.00
- There is approximately \$8,000.00 not spent in the Wrenn Miller Capital Project Ordinance Fund. She will present a budget amendment later in the meeting to put these funds back into the Capital Reserve Fund where it originated.
- The estimated transfers to be made for this fiscal year for the tax collection based on the .02 € is \$27,000.00. The estimated amount available in the General Capital Reserve Fund will be approximately \$258,000.00.

- In addition in the current budget, we did have an amount allocated for debt payments in the amount of \$77,000.00. This could be re-appropriated by budget amendment. Gallman stated the fund balance that is available that could be appropriated to spend (over the fund balance policy level) is \$637,000.00.

Gallman said however, the Town does have several future projects that we might end up putting more money into that is not anticipated at this time.

Council Member Ragsdale stated the problem is we don't know what we are dealing with regarding the core structure itself. Doing the research and getting the analysis and understanding of what we are dealing with from a liability standpoint I think is prudent. As we go forward and explore options there are 3 pieces to consider.

- The facility itself
- The Golf Course itself (playability and design)
- Operational Efficiency – If others can operate a golf course at breakeven point, what are we missing? He urged that we explore bringing someone in to discuss different ways to manage the course more financially efficient. He thinks we need an understanding of all 3 components.

Council Member Nixon-Roney agrees we need to research operations. However, she feels all of the Council agreed last month that we have to fix the golf course.

9. Consider approval of the architectural services contract for the Clubhouse Renovation Project – Council Member Nixon-Roney made a motion that we approve the concept phase presented by Freeman Kennett architects in the amount of \$7,600.00. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

Gallman stated she will present a budget amendment later in the meeting to appropriate funds for the professional design services for the proposed renovations to the Clubhouse.

Mayor Volz asked for the time schedule. The Council meeting in December 16, 2014. Peter Freeman said they can get this phase completed for the December meeting.

Council Member Nixon-Roney requested John Crowe come to the December Council meeting and update us on what has to be done at the Golf Course in the next several months. Council Member Ragsdale stated from what he understands the quality of play at the Golf Course is awful. He also recommends we get some guidance on how to run the golf course. Council Member Thomas agrees that needs to be addressed.

Smith reminded that Council made the conscious decision to not have a consultant come in because of the cost. NGF was going to give us an overview of the entire course. Basically, the same group that created the plan in 1992. They were going to update that plan and recommend operational changes if needed. Smith can contact them and see how much they would charge to update their plan for the Golf Course. Council Member Thomas stated we need to look at options. He recommended the Town Manager contact them.

Council Member Thomas made a motion to approve budget amendment #3 in the amount of \$7,600.00. Council Member Montgomery made a second to the motion. The motion was approved by unanimous vote.

(Budget Amendment)

10. Consideration of 2015 PARTF Application for Jamestown Park – Smith said he met with Vonda Martin, PARTF Representative, and discussed the Town’s 2014 PARTF Grant application. She informed him the Town’s application scored very high. It was well received. Vonda said the Town would not have to go through the Public Hearings again. There are several items that need to be updated. There are also areas where the Town can add some points. The Town scored #1 out of 9 projects in the region.

Originally the Town’s total request cost was \$675,070 with the Town’s match of \$337,535.00. Vonda felt for us to have a better possibility of funding in 2015, we should not ask for total funding of over \$500,000.00. If we delete the ball field component, we will be close to that budget amount. Smith stated in the Public meetings the ball fields got less interest than the golf course. Council discussed the scoring system and items that could be included. Smith said there is no guarantee we will be funded. However, no projects were funded in our region. So, hopefully the PARTF Board will realize this and fund a project in our region.

Council Member Ragsdale made a motion to direct the Town Manager to prepare an application and supporting information to apply for the PARTF Grant funding in 2015. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

11. Consideration of applying for Urban Archery Season designation & Hunting Ordinance – Johnson stated the Council directed staff to look at an ordinance that would apply to the Urban Archery Season. The Urban Archery Season is an extension of the regular hunting season for approximately one month. The Wildlife Commission officer recommended that the Town also adopt an Ordinance making it clear the types of weapons that can be used, types of game and areas allowed.

Johnson stated the Ordinance proposed is limited to white-tailed deer only. Limited to manual bow & arrows; including longbow, recurved bow or compound bow. Cross bows were left out, however that is a Council decision. The areas allowed are within the city limits on tracts of 5 acres or more in size, contiguous one owner tracts.

Hunting is not permitted within 250’ of any residential dwelling, governmental property, school, church, commercial building, occupied structure, street, park, or other recreation area. No arrow shall be discharged within 250’ of the boundary line of any property where hunting is permitted.

State law requires that a person hunting on another person’s property must have written permission from the owner dated within prior 12 months. A copy of this written permission shall be in the hunters possession at all times while hunting.

Included in the stipulation if a wounded animal crosses out of the hunting area to another area, the hunter will make every reasonable effort to track that deer and harvest it.

The Council discussed the Hunting Ordinance. The Town Attorney had reviewed the ordinance. Council was satisfied with the language as written.

12. Set Public Hearing date for Urban Archery Season designation and Hunting Ordinance – Council Member Nixon-Roney made a motion to hold a Public Hearing at the January 20, 2015 Council meeting at 6:30 pm to consider applying for the Urban Archery Season designation and to consider an Ordinance Regulating the Hunting of Deer within the Town Limits. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

Johnson reminded the Council, that if passed, the Ordinance would be effective for the 2015/16 season.

13. Budget Amendment – Gallman presented budget amendment #2 in the amount of \$8,191.00 to transfer remaining funds back to the General Capital Reserve Fund and close out the Wrenn Miller Capital Project Ordinance Fund. Council Member Nixon-Roney made a motion to approve budget amendment #2 in the amount of \$8,191.00. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

(Budget Amendment)

14. Analysis of financial position of the Town of Jamestown - Gallman presented the financial statement for the month ending October 2014. The financial summary reflects the Town has approximately 10 million dollars in cash balances and of that approximately 2.7 million dollars is reserved for specific usages.

In the detailed financial summary, the Town received reimbursement from the insurance company on the damage at the Guilford Rd. entrance park. We have incurred expenses for sidewalk project. In October, the Town received revenues for sewer tap fees. The Town is still awaiting the last reimbursement from FEMA.

There were no questions for Gallman.

15. Public Comment Period -

Tom Tervo, 2 Langholm Ct., stated he has always looked at the Golf Course as a business. He feels it needs to be run as a business. He felt Council needs a status update. The latest status update is the Grill is going to change hands at the end of the year. However, he just learned The Grill is closing the end of November. That causes a chain reaction of some problems. What do we do until we are able to get the electrical and plumbing fixed. People will want to be able to eat or drink.

Secondly, Matthew Johnson, Planning Director is leaving. As a concerned citizen, I would urge you strongly to consider not filling the position. He feels this position is something that could be absorbed internally.

16. Other Business

Council Member Nixon-Roney suggested looking into a food truck for the Golf Course for the month of December on the busiest days. She is concerned too about the food services for the month of December. Mayor Volz stated it will raise problems. Vending machines are not a good option.

Council Member Ragsdale stated we are not in the snack business. He hopes the Golf Association and people who frequent the Golf Course can understand we are focusing on that facility and trying to create a better experience and better product.

Council Member Nixon-Roney does think it is our business. People are used to food being provided at the Golf Course. We should have another option available. She feels it will give a negative impact. Council Member Nixon-Roney suggested staff at the Golf Course contact some food trucks to see if they would come out on certain days.

Still under other business –

Mayor Volz stated the Council has been discussing downtown parking at several meetings. He said the Town Manager talked to Guilford County Transportation Department. They are willing to work with the Town. Guilford County was interested in doing a trial run during the Christmas on Main Event. However, JBA is not hosting that event this year. Smith talked with Guilford County and asked if they could do a Friday or Saturday trial run. The idea is to pick a night and do a trial run to see if the shuttle would work.

Council Member Thomas asked about the Town's obligation. Smith stated the trial run is free. However, if it is popular, we would have to negotiate a contract for the services. (Personnel & vehicles) Smith said Guilford County is researching a grant from DOT that might pay for a large portion of the contract. However, the grant would not be available for 2015. The shuttles are ADA compliant and sit 8 – 10 people. Smith anticipates to run the service late April to late October.

Smith said Guilford County was agreeable to allowing the Town to place our Jamestown signs on the shuttle to make it a truly custom shuttle for the Town. Guilford County is responsible for the liability. Council directed Smith to pick a date and set up the trial run.

Council Member Montgomery asked about the alcohol license when Kristine Brown leaves the Grill. The Town Manager stated the Town would not have an ABC permit. That permit is under Kristine's name. Council Member Thomas stated the Town approved in the rules for the Jamestown Park & Golf Course that golfers may bring their own alcohol. It should not be a deterrent to the golfers.

Council Member Nixon-Roney made a motion to go into closed session to discuss a personnel matter. Council Member Thomas 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 resume the regular meeting. Council Member Thomas made a second to the motion.

In the regular session, Council Member Thomas made a motion to set a special closed session meeting for December 2, 2014 at 6:00 pm to preserve the attorney-client privilege and to discuss matters relating to expansion of industries. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

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

The meeting ended at 9:00 pm.