

Regular Meeting of the Town Council
July 20, 2010
7:00 pm
Civic Center
Minutes and General Account

Regular meeting of the Town Council, July 20, 2010, Civic Center, Town Hall

Council Members Present: Mayor Volz, Council Member Nixon-Roney, Ragsdale & Gray, Council Member Brock Thomas absent

Staff Present: Kathryn Billings, Chuck Smith, Matthew Johnson, Martha Wolfe and Beth Koonce, Town Attorney

Visitors Present: Martha Ward, Clayton Mays, John Firesheets, Hilda Dalton, Dalton Smoot, Fred Kelly, Ed Kent, Al Bartko, Judy Cates, Vickie Beeson, Jack King, Miles Johnson, Tom Owings, Stanton, Kay & Seth Calvarese, Eva Pierce, Jo Anne Hassell, Ed Stafford, Jordan Howse, Sandy McBride, Julia Rayborn, Jim Rayborn, Regis Fete, Larry McBride, Shelby & Martin Senell, Mary Fay Bodenheimer, Steve Smith, Grace Smith, Steve Dalton, Donald & Mary Ann Parham, Henrietta Bellows, Maryann Mayer, Paul King, Jessica Misenheimer, Charles Dowdy, Ruth & Sumner Fineburg, Bob & Keith Lackey, John & Anne Petty, Virginia Henry, Shirley Nicholson, Buddy Mann, Katie Lemere, Roger Clodfelter, Mary McCarty, Darlene Laurie, Myron Laurie, Ellen & Gary Robinson, Albert & Katrina Williams, Marie Joyner, David Card, Kay Sexton, J. Scott, Angie Bean, Eric Southern, Beth Seagraves of the New & Record, Rich Salyards, Matt & Linda Schumacher, Rae Marie Smith of GTCC, Charlie Melvin, Attorney; Leon Marsh, Ralph Proscia, James McGill, Mary Dalton, Evelyn & Bob Green, Joyce Graverson, Sabia Chank, Chris Mattern, Melissa Hogg, Bill & Sharen Kearns, Shawn E. Anderson, Sharon Anderson, Patricia Anderson, Scott Stone, James Tucker, Anne Hatcher, Elaine Geiser, Carl Weekly, Kristen Cabble, Matthew Cabble, Michele & Joseph Basile, Tom Clawson, Kelly Elrod, Nick Myrick, Wes Geiser, Cheryl Harvey, Bob & Kay Hedrick, Robert & Sheila Wenzel, Laura Gullede, Tom Tervo, Mondre Moffett, Mike Skertich, Ruth Clark, Sheree Crane, Jennifer Helms, Regina Shilansky, Melissa Cox, Natalie & Alan Teichman, John M. Allen

1. Call to Order – Mayor Volz called the meeting to order.
2. Jamestown Community Reflections – Mayor Volz thanked Capt. Straughn and the Guilford County Sheriff's Department for what they did this week. The Town had a couple of break -ins and robberies at the golf course where 2 golf carts were stolen. Saturday the deputies apprehended the person responsible. Mayor Volz stated it was frightening the weapons this individual had in his possession. Thank you Guilford County Sheriff's for your response on this case.

Mayor Volz stated the public may notice that the signs are up for the Jamestown Swing Event, August 14, 2010. Kerry Miller and Will Ragsdale are instrumental in this event. The Mayor informed volunteers are needed for the Jamestown Swing event and the Wyndham Golf Tournament for hole #12. This hole is being manned by Jamestown volunteers.

Mayor Volz asked the public to bow their heads and pray for tonight's meeting.

3. Approval of minutes from June 15, 2010 – Mayor Volz asked if there were any corrections to the minutes presented. Council Member Nixon-Roney made a motion to accept the minutes as

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

4. Resolution Honoring Heath Carrier – Mayor Volz called Heath Carrier forward. The Mayor read and presented Carrier with a Resolution Honoring him for his work as the ETJ representative on the Jamestown Planning Board and the Board of Adjustments.

(Resolution)

5. Public Hearing to consider a rezoning request for original Forestdale subdivision districts Commercial/Main Street Transitional district (C/MST), Residential/ Main Street Transitional district (R/MST), and Main Street Periphery district (MSP) to Single Family Residential (SFR) – Matthew Johnson stated he will depart from discussing the pro's & con's of the issue at hand. Apparently everyone is here for the rezoning issue that deals with the Forestdale neighborhood that was rezoned July of last year.

Johnson continued, someone stated in the last Planning Board meeting, "Democracy is designed to be of the people." It is evident that the citizen's attendance tonight feels very passionately and has a strong desire that the areas shown in the petition to be returned to SFR zoning. We should not take that lightly. Staff is not opposed to the rezoning and said that many times. However, in doing so we do undo the work of the volunteer committee that was tasked with identifying areas of potential development in the future. The volunteer committee tried to create a future vision of the Town of Jamestown. Hopefully, that work will not have been in vain. I would ask that Council consider perhaps we could go back and revisit that at a future time, using a different process and involve the community, making sure they are aware of that, making sure we answer the question of where & how the Town of Jamestown should develop in the future.

Johnson asked Kerry Miller, Planning Board Chair, to present the recommendations of the Planning Board to the Council. Miller stated that the Planning Board held a public hearing on June 14, 2010 in the Civic Center to consider the rezoning of C/MST, R/MST & MSP of the original Forestdale Subdivision. The Planning Board voted unanimously to recommend to the Council to set a public hearing date for the month of September and allow the Planning Board more time to research development alternatives for future growth. However, the Town Council voted unanimously to set the public hearing date for the rezoning to July 20th, 2010 meeting. Miller stated the Planning Board at the June meeting was **not** against rezoning. However, we were asked to develop options or alternatives for future growth in Jamestown. To do this, a few months would have allowed us to talk to the business community, Council, community leaders and residents of Jamestown. After all the time, effort and money spent previously on the Land Development Ordinance, we felt it prudent to at least ask, if not there, where? The Planning Board met again on July 12th, in the Civic Center. The Planning Board held a discussion on the rezoning of the C/MST, R/MST & MSP districts in original Forestdale Subdivision. In the meeting, the Planning Board voted unanimously to recommend to the Town Council to rezone to SFR the 3 zoning districts excluding the 6 properties located on Main Street. These 6 properties would remain C/MST district. The original petition filed for the C/MST district excluded those 6 properties on Main St.

Mayor Volz opened the Public Hearing to those in attendance and to invite those forward that would like to speak in favor of the proposed change. Mayor Volz asked each speaker to please keep comments to 3 minutes each to allow everyone time to speak.

Steve Dalton, 211 Potter Drive – He thanked Council for this opportunity to speak. I have proudly lived at 211 Potter Drive for 39 years in Jamestown, and have great neighbors. Most of our dealings have

been very positive. In the last 3 months, it has been a little different from that. The Town Council makes policy and the Town administrators carry out that policy. That's operated in governmental agencies for years. We short circuited that a little bit. We had a decision that the people were not aware of and I am sure all of you weren't aware of the implications of this policy, the change in zoning. That's not a problem. The good thing about this is it is an error that can be readily corrected. All you have to do is to vote to put this back to SFR. I know Council doesn't have time to listen to everyone here tonight but I do want Council to know how we feel. As they did in the zoning meeting, I would like for everyone that is in favor of returning this to SFR to quietly stand up.

The last thing I would like to say, we want to continue to work together and we want to thank you for your vote tonight hopefully to return our property to SFR and save our neighborhood. I hope that everyone that speaks recognizes that this Town Council is here for your benefit, they are not your enemy. We are not here to fight and attack each other. We just want them to know how we feel so that they can make the best decision for our neighborhood.

Vickie Beeson – 109 Forestdale Drive – (At Ms. Beeson's request, the Town Clerk distributed to each Council Member a copy of the subdivision plat for Section No.1 Forestdale Development, recorded with the Guilford County Register of Deeds in 1948)

Ms. Beeson addressed the Council. As of today, on Main Street between Robbins Avenue and Guilford Rd. there are 22+ parcels of land and/or storefronts or office spaces available for purchase or lease. We understand our local Planning Board, Town Government & local merchants want to see Jamestown's business district increase but isn't it a logical location for growth on Main Street and not into an established neighborhood. We are not requesting rezoning along Main Street between Potter Drive & Forestdale Drive. We feel this should continue to be zoned transitional commercial. But we are requesting that once you turn onto Potter Drive, Forestdale Drive and Knollwood Drive, the 100 blocks be returned to SFR. Jamestown is a historical town. The Town website states "Jamestown is rich in history and small town charm." We believe we should maintain the small town charm. Beeson asked the Council to look at the plat handed to them earlier. This plat was filed with the Guilford County Register of Deeds September 8, 1948, establishing the Forestdale Subdivision as the first subdivision within the Jamestown city limits. This neighborhood is 62 years old. It has served the Town of Jamestown well, with 2nd & 3rd generations still residing in some of these homes. We love our homes and take pride in our homes and our neighborhood. Our neighborhood is like none other in Jamestown, with a large tree canopy covering the entire neighborhood. We hope each of you will ask yourself tonight, is it worth destroying a historical neighborhood for unnecessary commercial property. Thank you for your time and consideration for returning our property to SFR.

Richard Salyards – 105 Potter Drive – Mr. Salyards addressed the Council. He stated he thought long and hard about speaking again tonight. He stated he has heard about every scenario as to why the people don't want this zoned commercial. I believe we people of Jamestown have brought forth a very compelling and passionate set of view points against commercial zoning. I have lived at 105 Potter Drive for the last 15 years. Over the last 15 years I have put in a lot of sweat equity in my property. You cannot measure that with dollars. I have also invested a fair amount of money in my property: remodeled the kitchen, remodeled the bath, new driveway, finished the basement, updated plumbing & electrical. I am scheduled for a deck and a new roof depending on the zoning outcome. I have spent over \$46,000.00 on my property in the 15 years I have lived there. (Without my sweat equity) I didn't do that for the possible short term sale of commercial property. I did that for the long term investment for my family to live in the bedroom community of Jamestown. I beg you and implore you to zone back to SFR.

Hugh Cates – 105 Knollview Ct. – I have lived in Jamestown since 1966. Our Council is a non-partisan Council. Therefore, we don't have political issues that divide us. The only thing that can divide us is civic issues. I think the only civic issue that can divide us is when we fail to communicate. Whether it's in the Jamestown News, the internet, the notices, somewhere we failed to communicate. The citizens have clearly stated we didn't get involved. So, therefore, we didn't communicate. I hope that this will be a learning lesson for us all that as we go forward, we need to get involved and better understand what is going on that affects all of our lives. Jamestown Forestdale section is not broken so let's not fix it. Cates stated that the Forestdale section is the best section he has ever lived in. Several people spoke and said that the Town and the Town Planner spent years working on this plan. Mr. Mayor, a lot of people in Forestdale spent their life working on that neighborhood. We ask you tonight to uphold the Planning Board's recommendation and move forward with our communication with each other.

Joyce Graverson – 208 Perry Rd. I have lived in my home for 20 years. This is the home I grew up in. My parents built the home in 1955. This zoning affects so many of us, several who are long time residents like me that have lived here for decades and generations. It also affects the status, value and future of our homes which for me is my single most costly investment. I assure you that if we had been notified in a more open manner; our opposition would have been immediate and intense. We like Forestdale. I love the bedroom community feel. That is one of the reasons we stayed here. We really want our neighborhood to be rezoned back to SFR. My property is in the area zoned MSP. It has been said there was little opposition from the property owners because we did not initially submit a petition. At the point in time, a majority of us were not aware of the rezoning much less what it entailed. I want to make sure that our collective voices are heard. On behalf of my neighbors, I am submitting a list of property owners' signatures in the MSP area that are opposed to this zoning and ask that it be rezoned back to SFR along with the rest of the Forestdale Subdivision. Ms. Graverson submitted the signatures to the Town Clerk.

John Firesheets, 200 Knollwood Drive – Mr. Firesheets stated he echoes a lot of what others have said. He stated his mother was a Home Economics teacher at Jamestown High School, now known as Jamestown Elementary School. His father served 10 years consecutive terms on the Town Council, and was Mayor Pro-Temp. He was also one of the founders of the Jamestown Golf Course. His mother & father build the house on the corner of Knollwood and Brookdale. In 1965, Forestdale North or East did not exist. Jamestown is just a small town, still we have great resources; a lake for boating and fishing, a vast public park, swimming pool, educational facilities from elementary school to college, restaurants and shopping are a walk or short drive away. I say all this to paint a portrait of what Jamestown was like for me and to make a point. As the world around us becomes more and more populated, we take up more and more space. Animals that exist in the wild are seen in urban areas because we have disrupted their natural habitat by building in places that were once their sanctuary. In a proposed zoning area there are multiple buildings that are for rent and sale. They should be occupied before one more building is erected. I would advise everyone to read the opening page on the Jamestown Website, the words of the website don't seem to reflect the desires of the few that want to see big business come to a small town. A few benefit, many would not. Jamestown has many senior citizens who I am sure when they moved to Jamestown 50 years ago just want to live and raise a family and retire in peace. There was a time when we believed our elected officials were representatives of the people and have our best interest at heart. I hope this in Jamestown is still true. Please bring us back to our original SFR neighborhood.

Melissa Hogg – 209 Forestdale Drive – This is my first year in Forestdale and my first home. I chose this house for the neighborhood it was in. I don't want to worry about my home being pushed out for apartment complexes or businesses. I grew up moving around as a Marine brat. My parents always chose homes in established neighborhoods because of the security, safety and connections you feel

when you live in a neighborhood of homes with families invested in their community. I chose my house on Forestdale because of the homes and people surrounding it. Please remember what community and neighborhood means and rezone as SFR.

Jim Rayborn – 404 Mendenhall Rd. – I have been here since 1973, I believe the biggest problem here is a failure to communicate and failure to communicate has fostered a little mistrust among certain people. Let's get back to harmony where we can work together and have a good working relationship. I am in favor of going back to the old single family dwelling. I have talked to several people and they expressed some of the same feelings that I have. You don't know what or who to trust in this area. Let's get back to working in harmony and get this back to a Town where people will want to live.

Martha Ward – 211 Knollwood Drive – Residents of old Forestdale are visionaries. We have a vision of town and community proudly investing in our homes. We chose old Forestdale because we love what we saw. We love season charm, patina, old shade trees that are hundreds of years old. We love what we saw. We saw quiet comfort, families playing in the sun, retirees enjoying the breeze from the lake, and we loved what we saw. We saw smaller affordable older homes that had character and we loved what we saw. We saw a town that touts of historic Jamestown, and we knew we were the next level of future history of Jamestown and we loved what we saw. We thought we had a town government that would protect our vision and not leave us vulnerable. However, lack of individual interest in us by our town rendered us vulnerable and left us a victim to this rezoning. We do not like what we see; we do not buy into it. We ask the Town Council not to pick us up, dust us off and sell our special patina, beauty and our unique level of history to politics and business as usual. If the powers that be are going to brand and tout historic Jamestown on all its 36 banners and publication, then show us the stewardship which supports and protects our past, present and future of history. I don't believe we can be proud of our stewardship of late. It is Jamestown's duty to protect old Forestdale's special layer of future history. In my opinion, it would not serve business to develop in our designated precious old Forestdale. If you think business in Jamestown can compete with High Point or Greensboro, think again, otherwise the next sections of Jamestown business will be looking at is your neighborhood, as they stretch further to compete with our neighbors. My friends, you may be looking for homes yourselves. We, in old Forestdale are not obligated to the Town of Jamestown for further recommendations for locations where businesses should expand. You can't shove business into a family community where the shoe doesn't fit. If the shoe doesn't fit then you must commit to SFR. Town Council restore our original vision. If you agree with me please stand and repeat with me," You have heard us, now rezone us."

Mayor Volz asked if there was anyone present that was opposed to this change in zoning that would like to speak. There being none, Mayor Volz closed the Public Hearing and asked if the Council had questions on the rezoning as proposed by the Planning Board.

Council Member Nixon-Roney asked if the 6 excluded properties were rezoned as well. Billings stated those 6 properties along Main Street were excluded from the request to be rezoned SFR. These 6 Main Street properties were excluded from the petition and the Planning Board's recommendation. These 6 Main Street properties are to remain as they are zoned. Council Member Nixon-Roney said these 6 properties on Main Street were change in 2009 when we adopted the new LDO. If we vote to rezone back to the way it was in 2009, we could still on a case by case basis rezone those 6 properties. Johnson stated that any parcel may be re-visited at any time for a request for rezoning. The 6 parcels that are in question that front Main Street would remain C/MST. Council Member Nixon-Roney asked what these properties were zoned prior to 2009. Staff stated from Potter to Forestdale, 1 parcel was a commercial zoning and the other 2 were SFR. The next 3 properties on Main Street consisted of 1 commercial property and 2 residential zoning.

Council Member Ragsdale stated that he appreciates the comments he heard tonight. I think that Jamestown certainly does not want to revert residential property over to commercial property. We want to look at growth for our town and our community. We want to be smart about it. I don't agree with the fact that we can't compete with High Point or Greensboro. I think we are really the crown jewel in the center of the triad. I think that we do need to consider growth. We do need to look at the land we have in Jamestown and be smart, get public involvement and consider how we can grow our town and grow our tax base and continue to preserve our wonderful style of living we have here.

Council Member Gray stated he came to this town in the early 1970's. The first home my wife and I purchased was on Potter Drive. I know your passion for that neighborhood. I often regret the day I moved away from Potter Drive because it is a wonderful neighborhood, I say **Original** Forestdale not old Forestdale. I think we have an opportunity to right a wrong. I don't think there was any covert mission or underlying point to try to change your property without benefiting you. However, it hit the very core of the neighborhood that they don't want it. For that reason, Council Member Gray made a motion to revert the zoning for the 3 districts in original Forestdale back to SFR as per the petitions.

Council Member Nixon-Roney stated she has lived in Jamestown all her life, was born here. I agree with Council Member Gray's comment that there was no covert mission; we were told by experts that this is where growth could occur. Obviously, we made a mistake and we have the potential to right a wrong. Before we vote on this, I would like to make a motion to revert the entire property back to SFR, so we can go on a case by case basis, and to not go with the Planning Board's recommendation on the 6 Main Street properties.

The Town Clerk stated that Council Member Gray's original motion is on the floor. The Clerk stated Council Member Gray would have to withdraw his original motion and then Council Member Nixon-Roney could state her new motion. Council Member Gray stated in a desire to move this forward, I withdraw my motion.

The Mayor asked Council Member Nixon-Roney to clarify the properties she was referring to. Council Member Nixon-Roney said the vote that past in 2009 regarding the rezoning in the 3 districts of old Forestdale Subdivision is what I would like to revert back to what it was prior to that vote. Council Member Nixon-Roney made a motion to revert all of the property in the 3 districts of old Forestdale, not just the ones included in the petitions, to SFR. The Council could vote on the 6 Main Street properties on a case by case basis.

Mayor Volz asked, so you are including the 6 properties on Main Street, which was not the recommendation by the Planning Board.

Council Member Nixon-Roney restated that her motion is to revert all the properties in the 3 zoning districts of original Forestdale Subdivision back to the zoning they had prior to the 2009 rezoning. Council Member Ragsdale made a second to the motion. (He stated, just go back to the way it was prior to the rezoning.)

On a roll call vote:

Council Member Nixon-Roney voted – aye

Council Member Ragsdale voted – aye

Council Member Gray voted – aye

Council Member Thomas –absent

The motion passed by unanimous vote.

Mayor Volz stated he wanted to thank the volunteer committee that worked on this for such a long time. I want to thank Matt Johnson for his hard work. Mayor Volz thanked Kerry Miller and the Planning Board for their work. Mayor Volz also thanked the community for their involvement. Local government is where democracy really takes place.

6. Public Hearing to consider a rezoning request from Conditional Zoning – Multifamily Residential (CZ/MFR) to Civic with a Campus Overlay (CIV/CO) property located at 5900 Guilford College Rd. Matthew Johnson stated this is case #2010-03, located at 5900 Guilford College Rd. The rezoning request is to rezone approximately 44 +- acres from Conditional Zoning – Multifamily Residential (CZ-MFR) to Civic with a Campus Overlay (CIV-CO). This is the former site of Pierce Homes – James Plantation. This site was purchased by GTCC. The current use is a multifamily residential with townhomes and condos, now foreclosed. The property is surrounded to the North by AG, to the East by GTCC zoned CIV to the West by residential with pasture land zoned CZ-AG and to the South by the RR corridor and GTCC campus CIV zoning.

The property is located in the Town’s primary growth area per the 2020 Land Development Plan and is identified as Urban Residential. The property is currently served with Town water & sewer.

The applicant is requesting rezoning to CIV with Campus Overlay for use for the college. They wish to utilize the current buildings to expand classrooms and offices used in conjunction with the adjacent campus. Future plans include use of the property in a similar manner as the main campus. Johnson turned the meeting over to Don Cameron, GTCC President. Dr. Cameron addressed the Council. He said GTCC was first established in Jamestown in 1958. GTCC has experienced tremendous growth over the last 57 years. This fall we will probably exceed 14,000 curricular students at GTCC. In about 2007, we were at about 9000 curricular students. Several years ago the Board of Trustees began looking at where we would go in the next 25 – 40 years. The GTCC campus is surrounded by Guilford College Rd. to the East, across the Street is Ragsdale High School, behind is the Rail Road track and to the West is the Rail Road track. The campus was in a position to be landlocked. When the Pierce property became available, we started serious discussions about how the Jamestown campus will continue to grow. The Board felt this property would be ideal for expansion for GTCC. We looked at the 10 townhomes built; we made a decision that they would be great office space and training center for our business and industry center. We can utilize the existing townhouse structures for what GTCC is established for, that is to serve the community and to serve business and industry. Consequently, the Board sought to purchase that property so GTCC could have a future to grow within the community; a community that GTCC loves and supports and feels a part of.

Charles Melvin, Atty. addressed the Council. Melvin stated he has assisted GTCC with the acquisition of this property. It has been a lengthy and complicated process. They had to negotiate with the bank holding the mortgage on the property, with the three (3) townhome owners and with an individual holding 10 acres in a trust. All this property is now owned by GTCC.

Melvin stated the watershed facilities are in place on the property. GTCC and Town staff continue to work together to complete any necessary requirements of the Town and of the State of North Carolina. Melvin stated that Dan Sitko from GTCC and Homer Wade of Borum Wade Engineering are present to answer questions. Also, present is Anne Marie Smith, Executive Vice President of GTCC.

Johnson stated the 2020 Land Development Plan has some policies we use as guidelines for rezoning.

Growth Management Policies

- Preservation and continued investment in key institutional and civic uses (e.g. YMCA, Town Hall, and Libraries & Schools) is strongly encouraged throughout the community.

Planning Coordination

- Build cooperative partnerships with local institutions, agencies, businesses to expand community amenities and services, to create jobs, to maintain a strong tax base, to encourage new development that fits our small town character and prevent conventional strip development along major road corridors.

Community Appearance Policies

- Maintain strong sense of community pride as each new land use fits into our vision for the future – adding quality and value and enhancing our community character and quality of life.
- Carefully consider the appearance and design of new buildings and site development, to ensure a good fit, and to maintain and improve the appearance of our community and to create a greater sense of harmony and compatibility among various uses throughout our community.

This property is currently zoned residences and is in foreclosure. GTCC did purchase the land and would like to utilize it along with its Main campus sometime in the future. This seems logical and could easily be grounds for approval of the rezoning request. Some nearby property owners have expressed some concern over how this property will fit into the community. GTCC is a unique draw for our neighborhood. The Planning Staff feels it would be beneficial to partner with GTCC. Therefore, based on all the information submitted, the Planning Department recommends approval. Johnson turned the meeting over to Planning Board Chair, Kerry Miller.

Kerry Miller stated the Planning Board met June 14, 2010. They held a discussion to consider the rezoning request from CZ/MFR to CIVIC with Campus Overlay for the property located at 5900 Guilford College Rd. former James Plantation. At this meeting, the Planning Board voted unanimously to rezone the property as requested. The Board felt that the CIVIC with Campus Overlay zoning is appropriate and supports the zoning amendment and map.

Mayor Volz opened the Public Hearing for comments. He asked if there was anyone who wished to speak in favor of the rezoning request.

Tom Tervo, 2 Langholm Ct., asked with 14,000 students enrolling this fall, with the expansion of the campus, do you see that number going up by 50% or more. Dr. Cameron stated GTCC, like most educational facilities, go opposite of the economy. When the economy is bad, such as now with 10% unemployment, enrollment goes up. When the unemployment rate drops, so does our enrollment. He does not think this enrollment will increase by 50% in the next few years.

Tervo stated the point he is making is that he hopes the Council and Planning Board understands the impact on our roads and traffic and safety on Main Street and Guilford Rd. Intuitively he is in favor of it, just wants to be sure traffic is considered. Mayor Volz stated that the HPMPO is cognitive of the issue.

Jim Mooney asked if we had any idea of the process of development in 5, 10 or 15 years. Dr. Cameron said their planning goes out 25 – 30 years. However, the current plan is to make immediate use of the townhomes. Other than that they have not planned any other facilities at this time. Dr. Cameron went onto say that GTCC's next main campus is on Hwy. 68, which will be 2 -3 years in the making. So it would be 5 – 8 years out before we would probably come back to this property.

Mayor Volz asked if there were any more questions or concerns in favor of this request.

Hugh Cates – 105 Knollview Ct. – Cates asked if the only access will be off of Guilford College Rd. Cameron said at present that is the access. We have had discussions with the Rail Road about getting over or under the Railroad tracks using the example of NC State University. We know it is possible and we will continue to explore it.

Mayor Volz asked if there was anyone present that wished to speak in opposition to this rezoning. There being none, Mayor Volz closed the Public Hearing and stated now is the time for Council discussion.

Council Member Nixon-Roney asked if the concerns of the adjoining property owners have been resolved. Melvin stated at the Planning Board no one spoke in opposition of the rezoning. Dr. Steve Davis and Ted Johnson are the only 2 property owners involved. One of the questions asked was, what are the plans for the future expansion of the campus for this particular site. Dr. Cameron has answered this. The other question was about buffers to adjacent property. Dr. Cameron sent a letter to the Council stating according to the State of North Carolina law relating to buffers along streams, Bull Run Creek runs through the property. The State of North Carolina requires a 100' buffer on either side of that stream.

Council Member Ragsdale made a motion to change the rezoning as requested from CZ/MFR to CIVIC with Campus Overly the property located at 5900 Guilford College Rd. owned by GTCC.

Council Member Gray made a second to the motion. On a roll call vote:

Council Member Nixon-Roney voted aye

Council Member Ragsdale voted aye

Council Member Gray voted aye

Council Member Thomas – absent

The motion passed by unanimous vote.

7. Public Hearing regarding a text amendment to the Town of Jamestown Land Development Ordinance regarding permitted use table. The intent is to clarify policy of the Planning Department with regard to permitted and prohibited uses on the permitted use table. The permitted use table outlines the type of uses permitted in a zoning district. It has been the policy that uses not listed are prohibited. However, the Council may determine if and what regulations should apply to a new land use and in what district it should be located.

Mayor Volz opened up the Public Hearing. He asked for anyone in favor to please speak. There being none, he asked if there was anyone that was opposed. There being none, Mayor Volz closed the public hearing. He asked Council for discussion.

Council Member Nixon—Roney made a motion to approve the amendment to the Land Development Ordinance regarding Permitted Use Table – Council Member Ragsdale made a second to the motion. On a roll call vote.

Council Member Nixon-Roney voted aye

Council Member Ragsdale voted aye

Council Member Gray voted aye

Council Member Thomas absent

The motion passed by unanimous vote.

8. Public Hearing regarding property located at 103 Pearce Drive under Article 24 Nuisance Abatement and Property Management Code. - Johnson stated he did receive a letter and a phone call from the owner of Pearce Drive. The initial letter stated they were fighting to keep the house and working through the issues to get the house back. The next day, he received a phone call that the owners had decided that the cost to fight the insurance company was too great. (Insurance claim denied) They will allow the house to go into foreclosure. The home will be presented for sale through the normal means at Guilford County Courthouse on August 18, 2010 with a final sale date of September 8, 2010. That leaves the Town with 2 options:
- Allow additional time for the foreclosure process to occur, with hopes the new owner will either renovate or raze the structure and rebuild.
 - The Town could pursue the condemnation process through Guilford County. Once condemned, we could order the structure demolished. This will take some time per Guilford County (1 – 1½ years)

Johnson said he understands this causes a burden to adjoining property owners. He recommends allowing some extra time to allow the foreclosure process to occur. Then come back to the Council in 90 days to see the status of the property and if any action has occurred.

Council Member Nixon-Roney had concern that no one would buy the property at the foreclosure sale and the bank will hold onto it. The fire occurred last November, so it has been almost a year. Per Council Member Nixon-Roney there are some rights the Home Owners Association has for the neighborhood. She stated she is not in favor of waiting another 90 days. Council Member Ragsdale state he did not see any advantage into extending the time period and it is an eyesore for the neighbors.

The Planning Director stated if the Town goes through the condemnation process we will have to go through the lien process and may not recoup those costs.

Mayor Volz opened the Public Hearing and asked for anyone that wished to speak.

Fred Kelly, President, Whittington Hall HOA. He asked for the Planning Director's contact information. Kelly stated he talked to the owners and the insurance company but got nowhere. He said the HOA's lawyer advised them to step back. Kelly said the Planning Director got more information that he was able to.

Mark Whitsell, 101 Pearce Drive. Stated he lives next door to the property. He has been mowing the yard. Pieces of debris from the house blow over into his yard. Whitsell stated that he closes the gate in the back. Then about every 2 or 3 days the gate is open. Who is liable if some child goes in the house and gets hurt? Every day it rains more damage is done to the house. There are a lot of kids in the neighborhood and I worry if someone gets killed there. I worry about safety. Also, if something big blew off of the house during a storm and someone gets hurt, who is liable.

Steve Smith – 506 Mendenhall – what is the cost to start condemnation proceedings. The Planning Director will verify cost with the County. Johnson said we will contact the Chief of Building Inspections with Guilford County to see what the first step is for the condemnation process.

Fred Kelly said they tried to get the house boarded up, but the insurance company would only do the front and back door. Kelly said he was told if we step foot on the property we would be arrested for trespassing.

Laura Gulledge - 200 Castleton Place. I am concerned about us not having a procedure in place for this kind of situation. Johnson said the circumstances that surrounded this particular event were not the norm. There is investigation ongoing by the insurance company. Generally speaking, if a house has some sort of loss it's handled very quickly. This case was different due to the investigation of the fire. The Town could not start any proceedings until the insurance and arson investigations were completed.

Mayor Volz asked if there were any more question. There being none he closed the Public Hearing and asked the Council for their discussion.

Council Member Gray asked under the Town's Nuisance and Abatement Code, what recourse we have to enter that property and bulldoze it. Johnson said we do have to go through the condemnation process first.

Council Member Nixon-Roney made a motion to move forward with condemnation proceedings as soon as possible. Council Member Ragsdale made a second to the motion. Council Member Nixon-Roney suggested that Fred Kelly, HOA President, work with the Planning Director on these proceedings. This will keep the neighborhood informed on the status of the proceedings. Also Kelly can supply the HOA regulations to Guilford County. On a roll call vote:

Council Member Nixon-Roney voted aye
Council Member Ragsdale voted aye
Council Member Gray voted aye
Council Member Thomas was absent

The motion passed by unanimous vote.

9. Public Comment Period – No one registered to speak
10. Reduction in force Personnel Policy Discussion – Kathryn Billings stated the Council had in their packets the information regarding reduction in force as stated in the current personnel policy adopted June 17, 2008, which states the Town Manager, with the approval of the Town Council, has the authority to call for a reduction in force. Billings stated that Guilford County reduced funding to Gibson Park in the 2010/11 budget by \$30,000.00.

In order to operate the Park, it is my recommendation that we reduce personnel costs by eliminating one full time position and we need to close the park 2 days a week; Monday and Tuesday. I recommend that the Council move to approve my recommendations to eliminate one position at Gibson Park effective with a formal 2 week notice.

Council Member Gray made a motion to approve the recommendation to eliminate one position at Gibson Park with a formal 2 week notice. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

11. Set Public Hearing date for a Master Signage Plan for GTCC property located at 601 High Point Rd. - Johnson asked Council to set a Public Hearing date for a Master Signage Plan for GTCC campus located at 601 High Point Rd. for the August 17, 2010 meeting. Council Member Nixon-Roney made a motion to set a public hearing date for August 17, 2010 to consider a Master Signage Plan for GTCC. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

12. Expiring terms on Planning Board – The Clerk stated 2 terms are expiring on the Planning Board the end of August. Both of these members can be reappointed and we have several citizen applications of people that have an interest, plus we have an alternate that has been active the last couple of months. Council will need to make this appointment at the August meeting.

13. Expiring terms on Board of Adjustment – The Clerk stated there are 2 terms expiring on the Board of Adjustment in August. Both members are eligible for reappointment or the Council may make a new appointment. This appointment needs to be made at the August meeting.

Council Member Nixon-Roney asked the Clerk to contact these individuals to see if they are willing to serve another term.

14. Financial Statement – Billings stated that Judy Gallman was attending a NC Finance Officers' Conference. Billings presented the financial statement for the month ending June 30, 2010. In the Council's packet were the financial summaries which gave cash balances, debit balances and revenue and expenditure reports.

Billings also presented the detail monthly financial statement. Items of interest – the Town has not invoiced Guilford County for Gibson Park reimbursement, we are still awaiting additional invoices to come in.

Billings said this time of year; we are closing out the fiscal year. There are other activities that will affect this June statement. The final audit will reflect all adjustments.

Also note under Public Safety – The town is still awaiting Guilford County's invoice for law enforcement for the last 2 quarters. Billings said all accounts are within budget.

15. Public Comment Period – Mayor Volz asked if anyone signed up to speak. The Clerk stated no one had registered. Although he had not registered, Mayor Volz allowed a citizen to take the floor.

Jim Mooney – 210 Shadowlawn, I live in Forestdale North. He wanted to speak about the Golf Course. He stated he got a survey in the mail on Saturday. He described the survey as a sales pitch for the golf course. He had questions about the total cost of the project. He was concerned the deadline for the end of July was not enough time for citizens to return the survey.

Mayor Volz stated that the surveys were mailed on the 9th however; they did not get delivered into mailboxes until Monday. Mayor Volz asked the Council to extend the deadline for the survey. Mayor Volz invited Mr. Mooney to come into the Town Hall and discuss his questions. He left a list of questions with the Mayor & Town Manager.

Council Member Nixon-Roney made a motion to extend the survey deadline to August 12, 2010. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

16. Other Business – Mayor Volz asked about the status of Guilford College Rd. resurfacing. Chuck Smith stated he heard from NCDOT about a month ago. They are looking at upgrading some of the wheelchair ramps and curb & gutter. The project was released to the contractor on July 15, 2010. So, it is just a matter of the contractor starting the project. Smith said that NCDOT will mill the road down and resurface from Main Street to Guilford College Rd.

Mayor Volz thanked Martha Wolfe for her work on the July 4th parade. For those who don't know, she was Lady Liberty in the parade.

Council Member Ragsdale stated he understands the Golf Course survey was to go out the week of July 12th, and I understand the survey went out on July 9th, 2010. I ask the staff if you change something to please let the Council know. Our expectation was that we would have more time to review the survey prior to going out. I expressed concerns about the survey itself to you, Mr. Mayor, as well as other Council Members. Given that change in window, there were several of us that wanted to call a session to review the survey prior to going out. I even recommended stopping the survey until we review it. So what I am asking of staff, if you are going to change a window in which you are going to send something out, then please notify the Council.

Council Member Nixon-Roney stated she had earmarked her Blackberry that the survey was being mailed on the 12th and that she had until the 9th to review the survey. I too had expressed concerns about the reviewing the survey before it was mailed. We would have liked to have our input in it.

Still under other business – Council Member Nixon-Roney requested a work session one hour before the August Town council meeting. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

The Council stated they may begin this 1 hour work session prior to the regular council meeting on a monthly or quarterly basis. That will be decided at a later date. Council Member Gray made a motion to adjourn. Council Member Ragsdale made a second to the motion. The meeting ended at 9:00 pm.