

Regular Meeting of the Town Council
January 15, 2013
Council Chambers
6:30 pm

Minutes & General Account

Regular meeting of the Town Council, January 15, 2013, Council Chambers, Town Hall

Council Members Present: Mayor Volz, Council Members Montgomery, Nixon-Roney and Walls
(Council Member Thomas absent)

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

Ragsdale High School Representative: Marissa Walsh

Visitors Present: Kevin Bottomley from the Ragsdale YMCA, Karen Walls, Carol Brooks of the Jamestown News, Sarah Glanville, Tara & Bill Neville, Paul & Spencer Martin, Kerry Miller and John Capes

1. Call to Order – Mayor Volz called the meeting to order.
2. Community Reflections – Mayor Volz reminded the Council and the public that the Council will be viewing a webinar on Wednesday 1-16-13 at 10:00 am in the Council Chambers regarding Internet Sweepstakes businesses.

Mayor Volz also announced that there is a workshop on February 21st, at 6:30 – 8:00 pm “Backyard Yard Buffer” Program. This is sponsored by the Piedmont Triad Water Quality Partnership of which the Town of Jamestown is a member. If interested please contact Martha Wolfe for further information.

Mayor Volz announced Thurman Haynes, volunteer at Haynes-Inman School, turned 96 today. Please recognize him for doing such good work.

Mayor Volz called for a moment of silence.

3. Approval of minutes from December 18, 2012 Regular meeting and the December 18, 2012 closed session meeting - Council Member Nixon-Roney moved to accept as presented both the regular session and the closed session minutes from December 18, 2012. Council Member Walls made a second to the motion. The motion passed by unanimous vote.
4. Public Comment Period – No one registered to speak.
5. Public Hearing to consider a Resolution amending the Extraterritorial Jurisdiction of the Town of Jamestown by relinquishing to the City of Greensboro jurisdiction over a portion of the Grandover Development – Johnson stated about 1 year ago we amended our annexation agreement line with city of Greensboro. Since then the staff have been working on getting the procedure in place to extend our jurisdiction over the section of property that has now become Jamestown’s side of the annexation agreement line and Greensboro will take jurisdiction over the property now on Greensboro’s side of the annexation line.

Johnson said the first step in the process is that the Council adopts a Resolution to relinquish our jurisdiction of ETJ over specific areas labeled areas C, I & O. Area C encompasses a small parcel at MacKay Rd. and Jordan's Creek subdivision. Area I encompass area located at GTCC and the YMCA. Area O is part of the property of Harvest World Church on Guilford College Rd. By adopting this Resolution we relinquish our planning authority over these areas. Greensboro is taking the same action tonight at their Council meeting. Next month, the Council will adopt by Ordinance to extend our jurisdiction over the areas on Jamestown's side of the annexation line. We will then set the initial zoning for that area.

Mayor Volz verified that these are the areas both Councils; Town of Jamestown & Greensboro, approved to exchange last year. We are just relinquishing our jurisdiction and next meeting we will pickup jurisdiction on the other piece of property.

Mayor Volz opened the Public Comment Portion of the Public Hearing. He called on anyone in favor of this Resolution to please come forward. There was no one. Mayor Volz asked if there was anyone that was opposed to the Resolution to please come forward. There was no one. Mayor Volz closed the Public Comment Portion of the Public Hearing.

Mayor Volz called for Council discussion. Council Member Nixon-Roney made a motion to accept the Resolution to amend the Extraterritorial Jurisdiction of the Town of Jamestown by relinquishing to the City of Greensboro jurisdiction over a portion of the Grandover Development. Council Member Walls made a second to the motion.

Council Member Walls presented the following statement:

Statement of Rationale: January 15, 2013, Resolution Amending the Extraterritorial Jurisdiction of the Town of Jamestown by relinquishing to the City of Greensboro jurisdiction over a portion of the Grandover Development under the power and authority provided in Part 1, Article 19 of Chapter 160A of the G. S. of North Carolina.

The Jamestown Council finds the recommendation by the Planning Board is consistent with the Town of Jamestown Land Development Plan. The Council finds the Planning Board's recommendations are reasonable and in the public interest.

On a roll call vote:

Council Member Walls voted aye

Council Member Montgomery voted aye

Council Member Nixon-Roney voted aye

The Resolution passed by unanimous vote.

(Resolution)

6. Public Hearing to consider an Ordinance Relating to Privilege License Taxes – Johnson stated this Public Hearing is to consider Privilege License Taxes - The Council has a draft ordinance in their packets. Johnson said the future of sweepstakes businesses is still unknown. The Guilford County Sheriff's Dept. is enforcing the Supreme Ct. decision to ban these types of businesses. There is discussion regarding if these businesses can re-invent themselves and change the way they work and do business to comply with State law. Johnson said the Council is having a webinar tomorrow at 10:00 am and hope to gain further information on the legality of the

sweepstakes businesses. Johnson said his recommendation would be to continue the Public Hearing until the next Council meeting. We will get the latest information from the School of Government. There are a number of reasons to have privilege licenses. They are a good revenue source. They help us to ensure that businesses are located in the proper location. Having this revenue source would help the Town to fund improvements in the business district. Information collected from these privilege licenses will help the Finance Officer to complete data for the annual financial reports. He does not recommend making the decision based on any one type of business. Johnson said the initial price of the software is \$6000.00. The annual maintenance contract is \$875.00.

Council Member Walls said in speaking with the Town Manager, he understands the software will pay for itself in the first year. A business license will give us creditability with businesses in Jamestown. At present, one cannot get a complete list of businesses in Jamestown. The privilege license would be a mechanism to plan for future growth needs, development, and revitalization of downtown. This would be a mechanism to inventory the businesses and in the long run would be more than a great investment.

Mayor Volz thinks we need to seriously look at this being a source of revenue to help our downtown area. It is a common practice to have privilege licenses. Mayor Volz felt we should wait on voting until we view the webinar on sweepstakes businesses which will be held tomorrow.

Council Member Nixon-Roney stated she is not ready to vote on it. It is another way to tax the citizens of Jamestown. I doubt it will bring in the revenues to pay for the software in the first year. I doubt it will provide enough revenue to pave sidewalks, bridges, walkway, etc. She will keep an open mind but disagree it gives the town creditability. She does agree it will give us a roster of the businesses located here. (Provided everyone complies)

Mayor Volz said the revenue could help start & build a CIP program for downtown improvements. Then in the future, we could build sidewalk, parking lot, etc. This revenue source would take some of the burden off of the residential taxpayer. Council Member Nixon-Roney said she would like to see the numbers showing how the privilege license tax could pay for the software in the first year. (w/o the sweepstakes)

Council Member Montgomery said she is interested in hearing the webinar tomorrow regarding the sweepstakes business. She would like to see the Public Hearing continued to the next month. She would also like to see a projection of the amount of revenue that can be generated from the license tax.

Council Member Montgomery said she has not heard any opposition from JBA members. They are in favor of something that can create revenues in the business community. Council Member Nixon-Roney said she has heard some businesses oppose it and say they are barely making it as it is now.

Mayor Volz opened the Public Comment Portion of the Public Hearing. He asked if there was anyone in favor of a privilege tax to please come forward and give your name and address. There was no one that wished to speak. Mayor Volz asked if there was anyone opposed to the privilege tax to please come forward. There was no one that wished to speak.

Council Member Nixon-Roney made a motion to continue the Public Hearing to consider an Ordinance Relating to Privilege License Taxes to the February 19, 2013 meeting. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

7. Public Hearing to consider proposed amendment Article V – Traffic Control Relating to Traffic and Speed Regulations to the Town of Jamestown General Ordinance – Smith said he is requesting that the Mayor & Council open the Public Hearing and vote to continue the Public Hearing to the February 19, 2013 meeting at 6:30 pm. Smith is willing to discuss any questions the Council may have, however, he has been in contact with NCDOT and they have advised him that some of the items Jamestown is considering have already been changed by NCDOT.

Mayor Volz announced he will not be present for the February meeting.

The Council discussed that the Public Hearing could be continued to the February meeting. If a tie vote was to occur, due to the Mayor's absence, the Public Hearing would be continued to the March Council meeting.

Smith said in going through the traffic ordinance with the Town Clerk, they noticed some discrepancies in the language. In working with NCDOT, they are looking through their ordinances as well. Smith would like to get this information from NCDOT before we go any further into our proposed changes to the Town ordinance. Smith said we may end up rescinding or amending some of these ordinances.

Council Member Walls added that he would like to see the speed limit on E. Fork Rd. lowered from Guilford Rd. to the Golf Course to 35 mph. Smith said if the Town proposed to lower a speed limit, NCDOT would do a traffic study before they would consider a change. Council Member Walls also would like to see some type of safety device for pedestrians at E. Fork Rd. crosswalks. Council Member Nixon-Roney said she asked for safety devices on E. Fork Rd. at least 18 months ago. DOT has been unwilling to add any safety devices for parking or pedestrians.

Council briefly discussed parking on Gannaway and the Post Office. Council Member Nixon-Roney would like to see the Town enumerate some spaces where we can have public parking.

Mayor Volz opened the Public Comment Portion of the Public Hearing. He asked if there was anyone present that would like to speak in favor of the ordinance changes to the speed limit regulations & traffic. There was no one. Mayor Volz asked if there was anyone that was opposed to the ordinance changes to speed limit regulations and traffic. There was no one.

Council Member Nixon-Roney made a motion to continue the Public Hearing to February 19th, 2013 6:30 pm to consider the proposed amendments to the Traffic & Speed Regulations to the Town of Jamestown General Ordinances. Council Member Walls made a second to the motion. The motion passed by unanimous vote.

8. Presentation of Jamestown Grant funding benefit by Ragsdale YMCA – Kevin Bottomley, Executive Director of the Mary Perry Ragsdale YMCA, presented the report for the Jamestown grant funding for 2012-2013 fiscal year. The Jamestown grant went to pay down on the capital pledge that was made of 2 million dollars on debt service to the YMCA.

Last year in addition to the \$50,000.00 Jamestown grant funds used to pay down debt service, the YMCA took out of branch operations an additional \$367,000.00 to pay down debt service. Kevin said for the first time in 6 years our membership dues are ahead of the previous year. Also, program revenue was ahead of last year. Total revenue went up from last year about \$100,000.00.

9. Set Public Hearing date to consider a request by the Town of Jamestown to rezone 7041 E. Fork Rd., 7107 E. Fork Rd. and 101-103 Guilford Rd. to Parks & Recreation District (PNR) – Johnson

said we need to setup 2 Public Hearings for the February 19th, 2013 Council meeting. First Public Hearing request is to consider the establishment of a Parks & Recreation Zoning District. The second Public Hearing request is to consider a rezoning request by the Town to rezone 7041 E. Fork Rd., 7107 E. Fork Rd., and 101-103 Guilford Rd. to the new Parks & Recreation District. Address locations for: Charles P. Turner Community Park & Soccer Complex, Jamestown Park & Golf Course and the Wrenn-Miller Park.

Council Member Montgomery made a motion to set a Public Hearing date for the February 19, 2013 Council meeting to consider establishment of a Parks & Recreation District and to consider rezoning the properties located at 7041 E. Fork Rd., 7101 E. Fork Rd. and 101-103 Guilford Rd. to the Parks & Recreation Zoning District. Council Member Walls made a second to the motion. The motion passed by unanimous vote.

10. Adopt amended fee schedule – Smith said the Town Council adopted the 2012-2013 Fee Schedule on May 30, 2012. In that schedule, the solid waste fee was set at \$7.00. With the Council approval of curbside bag recycling program, an increase in the solid waste fee from \$7.00 to \$10.00 per month is required to implement the curbside recycling program. We request this fee increase to be effective February 1, 2013. Council Member Nixon-Roney made a motion to increase the solid waste fee from \$7.00 to \$10.00 per month effective February 1, 2013. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.
11. Adopt 2013 meeting schedule – The Town Clerk presented the meeting schedule for the year 2013. Council Member Nixon-Roney made a motion to adopt the 2013 meeting schedule. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.
12. Monthly Golf Course Activity and 2012 yearend report – Michael Hutcheon presented a power pt. presentation summarizing the yearly activity at the Golf Course. He said they had a very good year. The course had \$150,000.00 in revenue last quarter which is pretty much in line with the last 3 years. We did experience 32 weather affected days for that quarter. Rounds played and revenue is up slightly. For the first half of the year, revenue is at approximately \$406,000.00. In comparison of December 2012 & 2011, revenue is down a little, course expenditures are down a little as well. For year to date revenues are up about 6% and expenditures are down about 3%. We are about \$40, 00.00 ahead of last year. Hutcheon talked to other municipal golf course superintendents and found that we are pretty close in rounds & revenue comparisons.

They had lots of outings in October. Future activities scheduled are GTCC fall semester classes begin next week and 1st Tee Program starts in March.

He said 10 area golf courses have gone with the Champion Bermuda grass. Jamestown is the oldest course that has not gone with the Bermuda grasses.

We continue with the Fox8 advertising promotion. Jamestown has sold 5 of the advertisement of the golf cart warps.

The Friends of the Park organization plan to meet again soon.

Council Member Nixon-Roney asked how things are going at the Pro Shop. Council cut the budget for the Pro Shop last year. Hutcheon said revenues are pretty much in line. He only stocks essentials for the Pro Shop.

13. Budget amendment – Gallman requested approval of budget amendment #5. The first part of the amendment represents grant money received from Guilford County for the Jamestown Library in the amount of \$44,052.00. The second part is to increase the revenue anticipated from the curbside recycling fees in the amount of \$19,500.00.

Council Member Nixon-Roney made a motion to approve budget amendment #5 in the amount of \$63,552.00. Council Member Walls made a second to the motion. The motion passed by unanimous vote.

(Budget Amendment)

14. Analysis of financial position for the Town of Jamestown – Gallman presented the financial statement for the month ending December 31, 2012. The financial summary cash balance for the Town is approximately 7.5 million. Of that about 2.5 million is reserved.

The detailed financial report for December 31, 2012 reflects the Guilford County grant that was passed through to the Jamestown Library. We did receive the first payment on the Powell Bill from the State. The rest are normal reoccurring expenses.

Gallman reported budget revision #6 approved by the Town Manager as part of the budget ordinance moved monies unused for debt payments to Pro Shop expenditures for dumpster fees.

15. Presentation of the Planning Board requesting authority to conduct an update of the Town of Jamestown 2020 Land Development Plan – Johnson stated the Planning Board has been talking over the last several months about updating the Comprehensive Plan. Generally comprehensive plans are updated every 5 – 7 years. The comprehensive plan is a guide for our community. It is not for land use regulation. The update is requested to keep policies current. Johnson said that the updates would be done in-house by the Planning Board and the Planning Staff. This would be done through community meetings, utilizing Planning Board volunteers and existing staff to keep costs down. The request is to update the current comprehensive plan, not to rewrite a new plan.

Johnson turned the presentation over to Kerry Miller, Planning Board Chair. Miller read the top 10 issues as identified by the Planning Board:

- Improving downtown; appearance, quality & variety
- Amenities; Library & YMCA
- Golf Course
- Parking
- Expand sidewalks
- Support open space, parks and recreation
- Historic preservation & resources
- Relieve traffic congestion
- Planned growth & development
- Promote Jamestown

The Planning Board would like to have community meetings to gather the public's opinion on these projects and others.

The Planning Board assumptions:

- 2020 LDP, vision and priorities need updating
- Contact & survey town residents; would like to get minimum of 30% responses
- Series of 3 – 5 Town meetings. Hold meetings at different locations and times to make it easier for the public to participate.
- Each priority should have a cost component.
- The residents will set the priorities – it is their “want” list
- Town Council will utilize the results to develop a plan and prioritize resources. Top feasible projects determined through the CIP Program.

Miller stated the consideration for the Town Council is:

- Will you support the Planning Board updating the Land Development Plan, Vision statement and priorities
- Will the Town Council commit resources to a potential study project including staff time and/or a cost of a full study, survey & meetings (No cost estimate was given)
- Will revenue be available to fund CIP projects recommended by the citizens
- Will the Town Council use the results and implement those priorities that are feasible. The Planning Board would like to make this an active project and utilize the input and results.

Council Member Nixon-Roney felt it was good to update the plan every 5 years.

Mayor Volz stated he would like to have a public meeting for the citizens to give their comments/opinions on the upcoming budget & CIP projects.

Council discussed possibility of using the phone call system to notify citizens of public meetings. Per Smith, at present, the call system is only programmed for the utility function. Additional functions would cost additional money. However, this is a function we might look at for future use.

The Council approved to schedule the regular March 19th, 2013 Council meeting at 7:00 pm and to schedule a citizens CIP Input meeting at 6:00 – 7:00 pm, on March 19th, 2013 in the Council Chambers.

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

17. Other business – Mayor Volz asked Marissa Walsh to convey to the Ragsdale High School Band that they did a great job at the recent Inauguration Ceremony for Governor McCroy.

Council Member Walls complimented the Town crews picking up brush and trash. They are doing a great job.

Council Member Nixon-Roney made a motion to adjourn. Council Member Walls made a second to the motion. The motion passed by unanimous vote. The meeting adjourned at 8:05 pm.