

Regular Meeting of the Town Council
July 21, 2009
Minutes & General Account

Regular meeting of the Town Council, July 21, 2009, Council Chambers, Town Hall

Council Members Present: Mayor Volz, Council Members Nixon-Roney, Gray & Lain

Staff Present: Kathryn Billings, Judy Gallman, Matthew Johnson, Chuck Smith, Martha Wolfe, Beth Koonce, Town Atty.

Visitors Present: Jennifer Pruitt, Buddy Mann, Mary Ann Hodgin, Kim Morgan, Andy Morgan, Will Ragsdale, Beth Seagraves of the News & Record, Brian Swahn, Sarah Glanville, Carol Brooks of the Jamestown News, Rev. Nathan Kline – Friendly Hills Baptist Church, Bob McGalliard

1. Call to Order – Mayor Volz called the meeting to order.
2. Invocation – Rev. Nathan Kline, Friendly Hills Baptist Church, gave the invocation.
3. Approval of minutes from July 16, 2009 regular meeting and June 29, 2009 special meeting. Council Member Gray made a motion to approve minutes from the June 16, 2009 meeting as presented. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

Council Member Lain made a motion to approve the minutes from the June 29, 2009 special meeting. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

4. Public Hearing continued from June 16th, 2009 on Land Development Ordinance. Mayor Volz began the Public Hearing by asking the Planning Director to give a description of the Land Development Ordinance. Johnson read a prepared statement which described the process and purpose of the proposed new Land Development Ordinance. This process began nearly 18 months ago. The proposed ordinance is more comprehensive and addresses sustainability, affordability, character and aesthetics. Johnson stated he feels this new ordinance provides a solid direction for the future of Jamestown. The ordinance encourages sustainable environmentally-friendly and conscientious growth.

Johnson stated he received very little citizen input. However, he had several discussions with Kim Morgan related to multi-family issues. The issue is primarily allowing very small multi-family development as a “use with additional standards”. (8 dwelling units starting on a minimum of 2 acres) Multi-family includes townhomes, condos and apartments. There are 3 ways to achieve this:

1. Use by permitted right
2. Uses with additional standards
3. Conditional use which requires special use approve by the Town Council in a Quasi-Judicial hearing

Per Johnson, this style housing is popular with younger families due to affordability and empty nesters like the low maintenance.

Johnson continued by saying Mrs. Morgan was also concerned about the lack of public participation for allowed uses under "Multi-Family". She was also concerned about the proposed 6' minimum side yard setback. Johnson feels this setback is adequate and will allow citizens more flexibility on their property.

Johnson requested adoption of the new development ordinance.

Mayor Volz thanked Johnson for his comments. Then opened up the Public Hearing to the audience and asked if anyone wished to speak.

Kim Morgan, 206 Moore Street, addressed the Council. She thanked the Council, Mayor and the Town staff for their time. Mrs. Morgan began by saying in fairness to the community, anytime a multi-family is brought into a single family residential neighborhood no matter the size, there should be some type of Public Input.

The 6' set back concerns her as well. There is a multi-family development proposed behind her house. The survey stakes have been placed and one can see that 6' is very close. It is only the length of a person. She would like to see the setback extended if possible.

Mayor Volz thanked Mrs. Morgan for her comments. No one else spoke for or against the ordinance.

Beth Koonce advised the Council due to this item being an ordinance adoption, it will require a 2/3 majority vote. Since Council Member Thomas is not here, that means in order for this to pass all 3 Council Members would need to vote for it. Options for the Council are to Pass it, not pass it, table or continue the public hearing.

Council Member Nixon-Roney stated you can see from the minutes of the last meeting, that at the very first presentation, she had several questions regarding multi-family. The setback requirement was not a real concern for her; however, she is concerned that 1500' is not that much space in between the multi-family units. Council Member Nixon-Roney understands that parcels fitting this scenario are limited in Jamestown, so why have it in the ordinance. The Town already has multi-family development in Town that needs improvement. Her concern is if we make it easier to build new units, the existing units may fall into further decline.

Council Member Gray agreed with Council Member Nixon-Roney that 1500' feet is a narrow distance for the density in question. The 6' set back he feels is adequate. As far as notification, anytime we are asking a neighborhood to take on redesign, ample notification through direct mail or other means is necessary to let the neighborhood know what is pending so that it can be discussed and part of the process. Council Member Gray stated the 250' notification should be expanded to a wider diameter.

Council Member Lain agrees on the expanded notification to neighbors. Also, we may need to hold up approval to "tweak" the ordinance.

Council Member Gray felt it was a good document and involved lots of hard work from the Community. He supports the process. He would agree to making some amendments to the ordinance tonight or tabling until next month.

Mayor Volz asked Johnson to address the issues again. The Mayor would like to prevent tabling the ordinance. He would like to see us pass the ordinance.

Council Member Nixon-Roney felt we could approve the ordinance minus the Multi-family section. Johnson said 1500' is a little over a quarter mile. He feels this is a large distance. These developments do not come up that often because there aren't many parcels in town that fit into this category. However, in case the opportunity does present itself, we have the tools to address it.

Johnson said the 250' notification would be to notify surrounding properties that the Town is having a TRC (Technical Review Committee) meeting. This is where staff reviews plans. This is not a Public Hearing. People are welcomed to come because this is an open meeting, but they would not be allowed to comment.

Johnson said there are pros and cons to the Multi-family development in single family residential. It streamlines development for the applicant. It would require a 20' deep buffer guard between parking lot and the rest of the community. Johnson would like to see this section left in the ordinance, but if this would hold up adoption of the ordinance then remove the section. We can look at it again in the future if this type development is submitted. Johnson said there are several projects waiting to see if this ordinance is adopted.

Beth Koonce advised if this section is removed, then this type of project could be developed in Town as a conditional use which is approved by the Town Council and not at the Planning Department level. Council Member Nixon-Roney felt more comfortable having Multi-family projects come before the Council for approval.

Council Member Nixon-Roney restated her issues with this multifamily section:

- 1500' space between units too small
- Not coming before the Council for approval
- More than 250' notification should be required. While there is a TRC meeting, she feels if proposing a change in a neighborhood, people have a right to be heard. She is in agreement with the remainder of the ordinance.

Johnson recommended moving the ordinance forward and remove this section – Section 10.1-24 Multi-family development in single family area. Council Member Nixon-Roney stated if this section is removed, whatever is in place for multi-family in the current ordinance is still in effect until Council approves a change.

Johnson said that a rezoning would be required now if this type project was submitted. During a rezoning case, the developer is to conduct a neighborhood meeting with properties in a 500' radius. If the developer does not, the Town will hold such a meeting. Johnson stated further, that a rezoning case requires a Public Hearing at the Planning Board meeting and a Public Hearing at the Town Council meeting.

Wolfe asked for clarification of the discussion. Considering the ordinance is approved with striking the section 10.1-24 Multi-Family area, the comment was made that whatever multifamily standards in the present ordinance would still apply. Per Johnson, multi family developments would require a rezoning request. It is better to remove that section and review when needed. Council Member Nixon-Roney said she feels it is more comfortable to have Council responsible for voting on a proposed Multi-family development.

Beth Koonce feels from listening to the discussion it seems it is best to pull this provision. The concern seems to be if multifamily is built in Jamestown, the Council wants to vote on it. If Council pulls this provision and approves the rest of the new ordinance, then Council will be able to achieve that process. Any multifamily project would have to request a rezoning which will go through the Planning Board and onto the Council for a Public Hearing.

Council Member Nixon-Roney made a motion to pass the new ordinance with the change of removing section 10.1-24 multifamily usage out of it. Council Member Gray made a second to the motion. On a roll call vote:

Council Member Nixon-Roney voted aye
Council Member Gray voted aye
Council Member Lain voted aye
The motion approved by unanimous vote.

Matthew Johnson presented the proposed new zoning map. The zoning districts have been changed. We tried to mimic the current zoning usages. There is a new downtown district called Main Street, Main St. Periphery, and Commercial. Residential encompasses all the previous residential zones. There is just one industrial zone now and the public institution district is now civic district.

Mayor Volz asked if there was anyone present that wished to speak for or against the map. Johnson noted there is now a scenic corridor overlay which preserves main entrances into town. (Guilford College Rd. & Main Street) The overlay district has large setbacks which maintain the fence line into Town.

Council Member Gray made a motion to adopt the new zoning map dated July 21, 2009. Council Member Nixon-Roney made a second to the motion. On a roll call vote:

Council Member Nixon-Roney voted aye
Council Member Gray voted aye
Council Lain voted aye
The motion passed by unanimous vote and the map adopted.

5. Public Hearing regarding revision to Town of Jamestown Water Shortage Plan –

Chuck Smith said the State has requested the Town review its Water Shortage Management Plan. Smith stated revisions are necessary to comply with the States current requirements. Council passed the original plan in November 2005. The revised plan is very similar to our original plan. Tonight is the Public Hearing for comments. If the Council adopts the revised version of the Plan, he will send this onto the State tomorrow. The notable revisions are as follows:

- Authority designated to implement – Town Manager and Public Service Director as backup.
- Specific triggers – since the Town purchases the bulk of water from High Point, we will consider High Point City Lake and Oak Hollow Lake as the trigger for this plan.

Smith stated we are required to revise this plan every 5 years. We can review the plan when Randleman Reservoir is in service.

Mayor Volz asked if there is any comment for the Public.

Buddy Mann, 100 Ragsdale Ct., addressed the Council. We are thinking Randleman Dam will go on line in 6 – 8 months. Mayor Volz said that is his guess. Mann said we will pay treatment costs for the water & distribution costs to High Point or Greensboro. His question is will the Town be drinking water from Randleman Dam or from High Point. Billings said the price will be the same. Mann stated he is thinking about water quality, would quality be better from Randleman. Billings said that remains to be seen. The Town could not build a separate water line for distribution it would be just too expensive.

Council Member Nixon-Roney made a motion to pass the water shortage management plan as presented. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

6. Public comment period – Buddy Mann, 100 Ragsdale Ct., He was at last month’s meeting and requested the final figures on the Jamestown Golf Course. He asked if those figures are available yet. Gallman said they should be ready shortly; we are waiting for some expenses and revenues to come in. He will come next month or drop by Gallman’s office for this information.
7. Guilford County School System sewer agreement – Kathryn Billings said we have been working closely with the Guilford County School System for many months. Part of the arrangement is providing treatment of the sewage from the new Jamestown Middle School and Special Ed West facility. We hoped to have a final agreement ready for the Council. However, we did not receive the final draft until today. So, there has not been time for a thorough review.

Billings said the Town attorney and staff will review the agreement and have a draft ready to present to Council at the August meeting. However, if the School System is in a real rush to get this action complete, she will contact the Mayor and set a Special meeting date if needed. The Town is trying to work with the School System and facilitate the process as much as possible. The school system has not approved the agreement either.

8. “Jamestown Swing” request to waive cost recovery for Special Event. Kathryn Billings said we are still tracking down pieces needed for this applicant request. Kerry Miller has been great to work with. In the application there are 2 things the Council needs to take action on officially.
 1. Waive time period for application (60 days time period in the permit)
 2. Council waives Town service fees for this event.

The Town has been providing lots of administration duties, organizing law enforcement, EMS, and first aid. Regarding Town services at the event the Town will oversee road closing, trash

pickup. The Town will provide at least 2 employees at the event. The Public Service Director will be on-site during the event.

Billings said we are still waiting for the ABC permit. If vendors are serving alcohol we need their ABC permits & insurance. Billings said her main concern is safety and liability. Billings requested the Council waive the time limit for the application and waive Town services fees for the event.

Council Member Nixon-Roney made a motion to waive both the cost of Town services and the time period. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

9. Budget Amendment – Judy Gallman presented a budget amendment request to reappropriate in current year budget revenues and expenditures that did not get completed in the June 30, 2009 fiscal year. Projects include:
 - PARTF Grant (new park land)
 - Pedestrian Master Plan
 - Deep River Paddle Trail

Council Member Gray made a motion to approve the budget amendment in the amount of \$45,100.00 to reappropriate funds from 6/30/09 budget to current budget. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

10. Financial Statement – Gallman presented the financial statement as of June 30, 2009. These are not the final figures as there are still some expenditures and revenues coming in:
 - Cash Balance as of June 30, 2009 – approximately \$5,800,000.00.
 - Funds reserved – Randleman Dam – approximately \$1,400,000.00
 - Funds reserved - Powell Bill – approximately \$404,000.00
 - Debt balance of the Town as of June 30, 2009 – approximately \$889,000.00
 - General Fund – 95% revenue and 83% of budget expenditures as of June 30, 2009
 - In the water/sewer fund – Revenues at 90% and expenditures at 78% as of June 30, 2009

Per Gallman, the Auditors will be in next month and we will have the final figures for the year.

The financial statement for June 30, 2009 did include the electrical repairs and replacements at the Jamestown Park. Judy Gallman said all departments are within budget.

11. Public comment period – No one registered to speak.
12. Other Business – Billings said Duke Energy has been great to work with on the electrical system at the Park. In particular Ronnie Taylor and Edwin King. They will be finished with the work ahead of schedule. The electrical contractor has been excellent and worked hand and hand with Duke Energy. Jay Gardner has worked day and night at the course. Gardner has been phenomenal. Duke Energy gave great complements to Jay Gardner. Per Billings, the Golf Pros have been great too, making things run smoothly. Michael Hutcheon said so far this July is ahead of the last 2 years.

Council Member Gray gave a big thank you to the Town Manager, Jay Gardner and all the staff that made this situation as painless as possible and continue golf play during the electrical construction process.

Council Member Nixon-Roney asked if the grassy area will be made into a putting green. Billings said there has been lots of conversation on this area. During the golf course renovation study, will be a great time to decide this. Many Golfers have suggested this would be a great place for a chipping area. Council Member Nixon-Roney suggested naming it the "Jay Gardner Chipping Green".

Billings said the results of the golf course survey will be ready in a couple of weeks. This information will be helpful with the Golf Course Renovation Plan.

Council Member Lain asked if the Town Clerk should draft a letter to the people at Duke Energy thanking them for their good work. Billings was already working on this to send from the Mayor and she will add the Town Council.

Mayor Volz asked for any other business. Council Member Nixon-Roney said Kerry Miller and Will Ragsdale have done a phenomenal job on the Jamestown Swing event. She asked that everyone purchase tickets and invite others to come. The event needs to be well attended to be a success.

Billings said several of the Town staff went to the volunteer training for the Wyndham at the Carolina Theater. The Wyndham presenters made an announcement about the "Jamestown Swing" event. This was good advertisement for the event.

Will Ragsdale said they will be advertising the event on WMAG radio. They have purchased 150 radio spots. Ragsdale said that Ogi Overman of the Jamestown News has been a big help in the media department.

On another matter, Council Member Nixon-Roney asked the Clerk to redirect her Town website email address to come directly to her home email address.

Council Member Gray made a motion to adjourn. Council Member Lain made a second to the motion. The motion passed by unanimous vote. The meeting ended at 8:25 pm.