

Regular Meeting of the Town Council
April 19, 2011
Council Chambers
7:00 pm
Minutes & General Account

Regular Meeting of the Town Council, April 19, 2011, Council Chambers, Town Hall

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

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

Ragsdale High School Representative- Gloria Adedoyin

Visitors Present: Jim Weisner of Harvest Church, Keith Lackey, Carol Brooks of the Jamestown News, Joyce Volz, Dick Franks of Koury Corp., Linda Cooper, Eleanor Ratterman of the Jamestown Public Library, Jamie Kennedy of the News & Record, and Malcolm Carter

1. Call to Order – Mayor Volz called the meeting to order.
2. Jamestown community reflections – Mayor Volz announced sadly that Willis Denmark passed away at age 61. Denmark was the Golf Pro at the Jamestown Golf Course for many years.

Mayor Volz also asked everyone to take some time to pray for the victims of the recent storms in the eastern part of our state. He asked for a moment of silence for these families.

3. Approval of minutes from the March 7, 2011 CIP Workshop, March 15, 2011 Special meeting and the March 15, 2011 Regular meeting – Council Member Nixon-Roney made a motion to approve the March 7, 2011 CIP Workshop minutes as presented. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

Council Member Nixon-Roney made a motion to approve the March 15, 2011 Special CIP minutes as presented. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

Council Member Gray made a motion to approve the March 15, 2011 Regular Council meeting minutes as presented. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

4. Continuation of Public Hearing to consider amendment to Greensboro-Jamestown Joint Annexation Agreement – Mayor Volz stated this is a continuation of a Public Hearing. The Mayor called on Matthew Johnson to continue his presentation. Johnson advised that the Planning Board met on March 14, 2011 and unanimously voted to approve this proposed Greensboro-Jamestown Joint Annexation Agreement. Johnson stated at the Planning Board meeting, Keith Dillon, the President of the Fox Hollow Home Owners Association was present.

He stated that the residences of the Fox Hollow Subdivision have a strong desire to remain on the Jamestown side of the annexation line.

Johnson stated he had included in the Council packet a list of Pros/Cons approach to the annexation agreement. Johnson further said that Dick Franks, Koury Corporation, and Linda Cooper, 205 Chadwick Drive, both were present at tonight's meeting. The Cooper property is located on Chadwick Drive. Her property is the only property in her subdivision that is located on the Greensboro side of the annexation line. The remainder of the subdivision is on the Jamestown side of the line.

Johnson said that Mary Lea wrote a letter asking to be on the Jamestown side of the annexation line. A copy of which is in the Council packet. He also heard from Mr. Jim Weisner, Harvest Church, located on Guilford College Rd. Mr. Weisner is present tonight.

Per Johnson, this swap between Greensboro and Jamestown is to be as equitable a swap as possible. The true intent is to try to change a line that was located as a guess 20-30 years ago as to where the By-Pass would be constructed.

Johnson went over the maps which show that the current annexation line at the present location crosses the Koury parcel and causes that parcel to be cut into. Part of the parcel is in Greensboro jurisdiction and part is in Jamestown jurisdiction. By re-locating the line, will allow the parcel to be situated in one municipality verses three. (Guilford County, Greensboro and Jamestown)

The relocating of the annexation line will give property owners near the annexation line more confidence as to where they will be located. At the March 15, 2011 meeting, Greensboro City Council voted unanimously to approve adoption of the annexation agreement lines. Johnson said if the desire of the Jamestown Council is to accept this annexation line agreement change, a public hearing needs to be set for the next Council meeting.

Council Member Nixon-Roney stated she heard from two additional property owners not in favor of changing the lines. The reasons they gave were uncertainty of development and to keep properties near GTCC & Millis Rd. under the control of Jamestown.

Mayor Volz opened up the Public Comment period of the Public Hearing. He asked if there was anyone that wished to speak in favor of the annexation agreement as proposed.

Dick Franks, Koury Corporation, spoke at the last meeting. Franks stated the location of the Jamestown By-Pass is now set. When the annexation agreement was drawn many years ago an assumption was made as to the location of the Bypass. After the By-pass was located, Franks came to Jamestown & Greensboro to see if we could come up with an equitable re-alignment to get the division along road line and not split the parcel. We are trying to simplify the development process. Per Franks, when a business comes to Koury they want a shovel ready piece of property. We need to be able to get a project through planning & zoning process quickly and expediently.

Franks said there are no plans drawn or project ready to build. However, there are some businesses along High Point Rd. that will be displaced by the Bypass. Koury hopes to pick up some of those businesses.

Mr. Franks went over the map showing the different parcels in question. He showed the location where Koury would like to build a road to ease traffic coming from GTCC going south. Koury Corporation has been working with NCDOT. DOT is in support of this proposed road. NCDOT told Koury Corporation if they built the road in place before the Bypass, NCDOT would address all the turning lanes. Koury's goal is to get the road permitted and in place. At present, the current annexation line goes through the proposed road. Koury would like to relocate the annexation line so that the parcel is in one jurisdiction. It will be difficult to go through two jurisdictions to acquire permits for the road. Franks stated he is trying to make this process as simple as possible. Franks said we hope that the Council will find in favor of this agreement.

Council Member Nixon-Roney stated the Council is not trying to stall the process. There is little land left in Jamestown. The Council took this position to be good stewards of Jamestown. If there is no plan for development at this time, is there any urgency to move forward. Franks said as soon as they start building that road, it will become urgent.

Council Member Ragsdale said the real issue is the permitting of the road. Franks said several businesses will be relocated when the Bypass begins construction. Koury Corp. wants to start planning for this. Per Franks, it will be a hardship on the developer to have to deal with two jurisdictions for permitting & inspections.

Council Member Ragsdale said we are discussing what would be an equitable split of property. The Bypass will displace a lot of businesses and impact Adams Farm Shopping Center. So, we know the Koury property will be developed. Franks stated that the Koury Corporation did not suggest as a recommendation any location of the annexation line. All they want to do is to remove the annexation line from running through the parcel.

Linda Cooper, 205 Chadwick Drive – Mrs. Cooper stated she has approximately 3 acres and has lived there for 30 years. Her subdivision wants to be in Jamestown. Other areas around them have been taken in by Greensboro. She stated that Tom Martin in Greensboro said as being this property is a dead end; it does not make sense for her property to be in Greensboro. Her whole subdivision is on the Jamestown side of the annexation line except her property. She is slated for the Greensboro side of the current line. She would like to be in Jamestown just as her neighbors. City staffs have told her for years this should be changed (both Jamestown & Greensboro). Only now are we at the point where we could actually change the line. She has been talking with both jurisdictions for over 10 years about this re-alignment. As far as she is concerned, this is long overdue.

Mayor Volz asked if there was anyone else that would like to speak in favor of the proposed annexation agreement. No one spoke. Mayor Volz then asked if there was anyone that would like to speak in opposition to the proposal. No one spoke.

Mayor Volz closed the Public Comment Period of the Public Hearing and asked the Council for discussion.

Council Member Thomas stated to Mr. Franks that this is not a trust issue. Council is voted into office to do what is best for Jamestown. He is concerned is this in the best interest of Jamestown. Is it an

equitable swap? He is not convinced that it is. He is not comfortable that this is the right decision for Jamestown.

Council Member Ragsdale stated while he understands the permitting issue for the road, he is still not convinced this is the best thing for our Town.

Council Member Thomas asked the Planning Director if the Council does not take any action tonight, may the Council address this proposal sometime in the future. Johnson said that is correct. The Town's current annexation agreement with Greensboro expires 2018. He feels we would need to begin renewal talks with Greensboro a couple of years before that expiration date.

Per Johnson, there is very little opportunity to negotiate property. Most properties are already inside Greensboro or Jamestown. If the annexation lines go away, Jamestown loses the opportunity to fortify our lines for the 30 years term. Johnson said this proposal is as equitable swap as staff could possibly get. Greensboro owns up to their annexation line. We do not know how or when the property will develop.

Mayor Volz asked if no action is taken tonight and the current agreement runs out in 2018, does that mean that we no longer have access to these areas. Per Johnson, Guilford County has control over the ETJ. We could potentially lose out, but unlikely. Jamestown will be in this same situation with High Point in 2018. We will have to consider our options with High Point.

Council Member Nixon-Roney stated her perspective is that it is a gamble. Council Member Nixon-Roney told Mrs. Cooper that Jamestown could possibly help her outside of the proposed land swap. Ms. Cooper said regarding uncertainty, when the Council does not act, or nothing happens, businesses don't know what to do. Mrs. Cooper sees uncertainty as bad for business and development. Council Member Nixon-Roney does not see that a developer would have a problem working with both Jamestown and Greensboro.

Mr. Franks stated it is very tough these days to attract new businesses. By relocating this annexation line, it alleviates any confusion or delays to the development process. Koury would like to have a piece of property that is free from any road blocks for development.

Council Member Nixon-Roney stated there is a third option. Go back to Greensboro and renegotiate a different swap. Jamestown takes all of this property in exchange for something else. Johnson stated he tried to negotiate other areas, but there just isn't another area. When establishing an annexation line you try to use physical barriers so it is logical to locate the annexation line along the right-a-way.

Council Member Gray stated he sees that the Bypass has changed location as time has developed and created an issue with our ETJ and boundaries therein. Council Member Gray understands Mr. Frank's concern to eliminate property tax problems, permitting problems by eliminating two jurisdictions and putting the parcel under one single jurisdiction. Council Member Gray read the recommendations of the Planning Board that indicated they voted unanimously to approve the Greensboro-Jamestown Joint Annexation Agreement. I think to protect Jamestown now and in the future we need to show a willingness to work with our sister cities to try to work with the business community to make

boundary lines compatible with everyone. This is a difficult decision, but I would like to make a motion that we go forward and approve the Greensboro-Jamestown Joint Annexation Agreement and land transfer as described in Exhibit A.

There was no second to the motion, therefore, the motion died.

Council Member Nixon-Roney felt it was preferable to not take action. She was not comfortable making a motion to deny the proposed annexation agreement either. Mr. Franks asked the Council what the Board would need to feel comfortable with the recommendations. Is it a dollar amount of the tax values?

Council stated their hesitance is due to not knowing how the properties will be developed. The Planning Director said if the Council gives him direction as to what they would like to see, he would go back to Greensboro and propose another alternative exchange of parcels. However, there is very little property available. It is hard to give a tax dollar amount to the property at this time, and there is no way to give a time line for development. Council Member Nixon-Roney stated we are not saying no, we just want to table it and take no action. I would like to research to see if there is an alternate land swap.

Johnson said the proposed annexation line is the best scenario staff could provide using similar land uses of undeveloped land. Johnson feels with this plan Jamestown still maintains two good parcels and also helps out Mrs. Lea and Mrs. Cooper.

The Town Manager said we also looked at City services of water/sewer. Staff tried to position this line where it was equitable and practical for properties to be served by the Town's services.

Mayor Volz said we are in a position now if the Council does not want to move forward, do we want to deny it or put it on hold. If we continue the Public Hearing, what direction does the Council give staff?

Council Member Nixon-Roney stated she would like to make a motion that we continue this for 60 days. There was no second to the motion. The motion died for lack of a second. The Council discussed other options for land exchange. The Town Attorney stated the Council has two options. Continue the Public Hearing for another meeting or you can close the Public Hearing and make a motion to table this item. The Council may vote to re-open this issue at a later date. When the Council reopens this issue, it will be considered a new Public Hearing and will be advertised accordingly.

Council Member Nixon-Roney made a motion to close the Public Hearing. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote. Mayor Volz closed the Public Hearing.

Council Member Nixon-Roney made a motion to table the Greensboro-Jamestown Joint Annexation Agreement. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

5. Continuation of Public Hearing to consider adoption of Discharge of Firearm Ordinance – Martha Wolfe stated, at the last meeting, Staff asked Council for direction on items and regulations they wanted included in the Discharge of Firearms Ordinance. We received feedback from Council, the Town Attorney, Law Enforcement and the Town Manager. This document is the result of those comments. Wolfe stated she hopes it meets with Council approval.

Mayor Volz opened the Public Comment portion of the Public Hearing. He asked if there was anyone present that wished to speak for the Ordinance. Joyce Volz, 601 O'Neill Drive, asked about Fourth of July fireworks. Council Member Gray stated that fireworks are illegal by NC State Law.

Mayor Volz asked if there was anyone else that wished to speak in favor of the ordinance. No one spoke.

Mayor Volz asked for anyone opposed to the Ordinance that wished to speak. No one spoke. Mayor Volz closed the Public Hearing.

Council Member Thomas made a motion to approve the discharge of Firearms Ordinance with the amendment to strike pellet gun and pop gun from the ordinance. Council Member Ragsdale made a second to the motion. On a roll call vote;

Council Member Nixon-Roney voted aye

Council Member Thomas voted aye

Council Member Gray voted aye

Council Member Ragsdale voted aye

The Ordinance passed effective immediately by unanimous vote.

6. Public Comment Period

Keith Lackey, 209 Knollwood – Lackey told the Council that the Town crews on the trucks are fabulous. They are getting up the debris from the storms and doing a super job. They have such a good attitude. Her only comment, could the crews have a broom and shovel to get up the small debris.

Malcolm Carter – 406 Wyndwood Drive - He is trying to plan an Eagle Scout project. He asked about revitalizing the underpass. He asked if the Town Council approved of the graffiti on the underpass. Council Member Nixon-Roney said this has always been a tradition to allow the students to paint the underpass. The underpass is owned by the NC Railroad. The Town Manager said he would like to talk with Carter about a community project. He will contact him.

7. Consider approval of Special Use Permit for the Jamestown Lions Club – Chuck Smith informed the Council that the Jamestown Lions Club wants to hold a July 4th Parade on Monday July 4th at 10:00 am. There is no entry fee to participate in the parade. The Lions Club is asking the Town to fund deputies (same as last year) in the amount of approximately \$330.00. Council Member Nixon-Roney made a motion to approve the special event permit and funds for 5 deputies for law enforcement. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

8. Appointment of a Jamestown Representative to serve on the Guilford County Historic Preservation Commission – Martha Wolfe stated that Jane Payne has graciously agreed to accept this appointment if the Council so desires. There were no other nominations. Council Member Gray made a motion to approve Jane Payne to serve as the Town’s Representative on the Guilford County Historic Preservation Commission. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.
9. Recommendation to upgrade the Mendenhall Pump Station – Paul Blanchard submitted a bid to make improvements at the Mendenhall Pump Station. This project was presented last month at the CIP meeting as a potential project for the next year’s budget. This pump station is in need of repair. The last update was in 1982. Both NCDENR and the 2010 Sewer Survey by Davis-Martin Powell and Assoc. recommend these upgrades to the Pump Station. Blanchard stated some of the work will be done in-house. Davis-Martin Powell & Assoc. estimated this portion of the project at \$78,000.00. The one bid received was for \$37,410.00 from Tencarva Machinery. Blanchard said there were some items included in the Davis-Martin-Powell budget that the Town really did not need. Blanchard said he did receive one other bid this afternoon from Breece Enterprise in the amount of \$46,805.00.

Chuck Smith said that Paul Blanchard has done much of the engineering work on this project in-house which has saved the Town a considerable amount of money. Council Member Nixon-Roney made a motion to accept the bid from Tencarva in the amount of \$37,410.00. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

10. Request for Park Fee changes for Gibson Park – Chuck Smith presented a request for Park Fee changes at Gibson Park. Smith stated the Park has been in operation since 1992 without any fee structure changes. Smith said Matt Johnson presented these fees to the Guilford County Parks & Recreation Commission on April 12, 2011. The Commission approved these fees. One change from the schedule presented is to delete the charge for cross country practice. There will be no charge for practice. Smith said the fee schedule is effective July 1, 2011. Smith recommends the small and large shelter fees become effective 4-20-11. If someone has already made a shelter reservation, they are grandfathered in at that fee. The other fees are effective July 1, 2011. The Town Manager met with JYL and the YMCA so they are well aware of the fees.

Council Member Ragsdale made a motion to approve the fees as presented effective July 1, 2011. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

Council Member Gray made a motion that the fees for the small and large shelters become effective immediately. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

11. Resolution Establishing Operational Policies for the Jamestown Park and Athletic Complex – Chuck Smith stated Council has a copy of the Resolution dated October 15, 2002 regarding the Jamestown YMCA. This Resolution provides authority for administering the scheduling of the athletic fields and recreational functions to the Jamestown Area YMCA. Unfortunately, the

YMCA does not maintain a master schedule to handle the day to day events at the Turner Athletic Complex. This new Resolution places the responsibility of managing the entire complex back in the hands of the Jamestown Parks & Recreation Department and Town staff. This will provide a more organized approach to scheduling events and make sure staff is on site to oversee operation of the complex.

The Town Manager said he did approach the YMCA to see if they would do the scheduling and they were not able to do so. The YMCA will continue to use and schedule the Clodfelter field which is a private field not associated with Jamestown.

Council Member Nixon-Roney made a motion to approve the Resolution for Establishment of Operational Policy for Jamestown Park and the Charles P. Turner Community Park & Sports Complex. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

(Resolution)

12. Request for Publication Fee Change – Smith presented a proposal to change the Town’s current publication fees. The current publication fee is photocopier €.10 per sheet. The proposed policy is more descriptive.

Council Member Gray made a motion to accept the publication fees schedule as presented. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

13. Resolution in Support of an Application to Participate in the NC Small Town Main Street Program – Matt Johnson stated the Town would like to apply again to participate in the North Carolina Small Town Main Street Program. This program allows experts from the Department of Commerce Division of Community Assistance, at a very low cost, come and help the Town implement the 4 points Main Street Approach; organization, design, promotion, and economic restructuring. The Town will work with JBA to gather support from that business organization for the Program.

Council Member Nixon-Roney made a motion to accept the Resolution in Support of an Application to Participate in the North Carolina Small Town Main Street Program. Council Member Ragsdale made a second to the motion. The motion passed by unanimous vote.

(Resolution)

14. Proclamation Litter Sweep – Martha Wolfe stated the Town is sponsoring Spring Litter Sweep on April 30, 2011. The Ragsdale High School Key Club will help us again this year. We will meet at the Food Lion Parking lot at 9:00 am. Also a group of employees from Martin Marietta will help us clean up along High Point City Lake’s edge and abutting Jamestown properties.

(Proclamation)

15. Financial Statement – Judy Gallman presented the financial statement for the month ending March 31, 2011. She reported the following:

Total Cash balances	6.5 million approximate
Cash Reserves	
Randleman Reservoir	1.4 million approximate
Powell Bill	\$320,000.00 approximate
General Capital Reserves	\$75,000.00 approximate
 Total Town debt	 \$152,520.40

Revenues and Expenditures – At this point in the year, we expect revenues & expenditures to be at 75%. All revenues are at that point and expenditures are under that percentage.

Gallman presented the detail financial statement for March 31, 2011. There were no questions for the Finance Director.

The Mayor called on Gloria Adedoyin for any news from Ragsdale High School. Gloria said she would be participating in the Litter Sweep on Saturday with the Ragsdale High School Key Club.

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

17. Other Business – Mayor Volz recognized that Judy Gallman, Finance Officer, received an award for Achievement in Excellence Financial Reporting. This is the 4th consecutive year she has received this award.

Still under other business, Judy Gallman stated that Kathryn Billings was designated as the Deputy Finance Officer while she worked as the Town Manager. We need to appoint a person to replace her now that she has retired. Gallman requested the Council appoint Chuck Smith to serve as the Deputy Finance Officer.

Council Member Nixon-Roney made a motion to appoint Chuck Smith as the Deputy Finance Officer. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

Mayor Volz informed the Council that May 1 – May 7th is Annual Municipal Clerks Week. We want to have a Resolution to recognize the work of Martha Wolfe, Town Clerk. Mayor Volz stated we will present a Resolution to her at the May Council meeting.

Still under other business – Council Member Nixon Roney asked for an update on the E. Fork Rd. situation. Paul Blanchard and Chuck Smith reported several items and concerns to NCDOT. The Town is awaiting responses from the various DOT departments/divisions. Smith said regarding another NCDOT project; DOT is in the process of installing the pedestrian signals at Main Street and Guilford Rd.

Council Member Gray asked the Town Attorney for feedback on the status of 103 Pearce Drive. Beth Koonce said the sale date is still scheduled for May 18, 2011. Council Member Nixon-Roney asked for

the address where she could personally send a letter requesting the sale date not be postponed again.

Council Member Nixon-Roney made a motion to adjourn. Council Member Thomas made a second to the motion. The motion passed by unanimous vote. The meeting ended at 8:54 pm.