

Regular Meeting of the Town Council  
February 21, 2012  
Council Chambers  
7:00 pm  
Minutes & General Account

Regular meeting of the Town Council, February 21, 2012, 7:00 pm, Council Chambers, Town Hall.

Council Members Present: Mayor Volz, Council Member Montgomery, Nixon-Roney, Thomas & Walls

Staff Present: Chuck Smith, Judy Gallman, Paul Blanchard, Matthew Johnson, Jeff Greeson, Martha Wolfe, Beth Koonce, Town Attorney, Gloria Adedoyin, Ragsdale High School Representative

Visitors Present: Jody Efird, Faron Dawson, Pam Harden, Martha & Homer Harden, Mary Browning, Carolyn E. Crist-Schwab, Stanton & Kay Calvarese, Jim Mooney, Kevin Sasser, John Kavanaugh, Jeff Nicholson, Jessica Brewer, Kurt Collins, George Carr, Charles Dowdy, Ronnie Hancock, Annie Laura Perdue, Mary Faye Bodenheimer, Alan Teichman, Bob Duncan, Tracy Josh, Rodney Josh, Shawn Rogers, Hilda Dalton, Mary Dalton, Judy & Hugh Cates, Kay Sexton, Art Wise, Charlie Dye, Jane Haney, Keith Lackey, Russ Hassell, Eddie Oakley, Kevin Bottomley, Wes Cashwell, Carol Brooks of the Jamestown News, Cheryl Harvey, Bob Anderson, John Capes, Charles Yates, Pat Cruthis, Tony Cruthis, Sara Jones, Paul Jones, Pat King, Kevin Boyette, John & Anne Petty, George Ragsdale.

1. Call to Order – Mayor Volz called the meeting to order.
2. Community Reflection – Mayor Volz stated we are near the end of February and look forward to spring. Please bow your heads for a moment of silence.  
2a) Gloria Adedoyin reported that all is going well at Ragsdale High School. The construction is supposed to be ready by next fall.
3. Approval of minutes Special Joint Meeting of Town Council & Planning Board 1-9-12, Town Council Work Session 1-17-12 and Regular meeting 1-17-12 - Council Member Nixon-Roney made a motion to approve the minutes as presented. Council Member Walls made a second to the motion. The motion passed by unanimous vote.
4. Public Hearing to consider the rezoning request from MS (Main Street) to CZ-MS (Conditional Zoning – Main Street) Multi-Family dwelling units for the property located at 202 R1 Ragsdale Rd. case #2011-03. Matthew Johnson presented the information for the rezoning request. The request is to rezone from Main Street (MS) to Conditional Zoning – Main Street (CZ-MS) the property located at 202 R1 Ragsdale Rd. The property consists of approximately 2.2 acres. Currently the property is vacant wooded land. It is bordered to the north by commercial and single family residential properties, to the east by the Post Office zoned MS, west by Single Family Residential properties, and to the south by multi-family town homes and commercial properties. The parcel is located in the Town’s primary growth area per the 2020 LDP. It is located in the Town Center per the Future Land Use map and is currently served with water & sewer. The property was previously zoned B1 which is business or commercial district. The applicant wishes to construct 47, one & two bedroom apartments for affordable living for seniors, 55 years of age & up. It will contain 31 one-bedroom and 16 two-bedroom apartments. The building will be a multi-story development, Georgian architecture, high quality materials. The applicant did place conditions on the rezoning as follows:
  - 1) Permitted Uses on the property will be limited to Multifamily Dwelling.

- 2) Number of dwelling units shall not exceed 48.
- 3) Height of the building shall not exceed 50ft. and/or 3 stores from the finished first floor elevations.
- 4) Stormwater device selected will be in accordance with State of NC standards and located with the intent to preserve as many trees on the site as possible. Developer shall not be permitted to use a wet detention pond, but will be permitted to use any other State approved stormwater BMP device.
- 5) The building materials shall be primarily brick.
- 6) The building shall meet Energy Star Certification Standards at completion. The developer shall make a conscious effort to screen all mechanical equipment (HVAC, etc.) from view from the street.
- 7) Applicant will work to establish Tree Conservation Areas (TCA) where appropriate to protect as much existing landscape as possible. Applicant shall reestablish landscaping at a greater rate than required by Town ordinances.
- 8) Applicant agrees to extend brick sidewalk along the property frontages of Ragsdale Rd. to the nearest public access to the Forestdale Shopping Center (approx. 420 ft.) and along Gannaway St. up to Main St. (approx. 225 ft.) pending that all appropriate easements/rights of way can be established or acquired and subject to the approval of the Town of Jamestown.
- 9) Cutoff style exterior lighting to blend with existing Town lighting – either Colonial or Acorn style.
- 10) Parking will be primarily to the side of the building. No more than 15 spaces shall be constructed in front of the building (along the side facing Gannaway St.)
- 11) Building shall “front” Gannaway St., with the front entrance façade facing Gannaway St.
- 12) Access from the street to the front entrance shall operate as a “one-way” entrance from Gannaway St.
- 13) Site design shall substantially comply with the site plan submitted as “Exhibit A”, with only minor changes as permitted during a Technical Review to ensure compliance with the Land Development Ordinance.
- 14) Building setbacks shall be minimum 8’ along the front, min. 10’ from the side and min. 20’ from the rear. Corner side setbacks shall be min. 15’.
- 15) Solid waste shall be serviced by a private hauler. The dumpster enclosure shall be primarily brick with an opaque gate on the front.
- 16) Restricted to persons 55 years of age or older.

Johnson said the Council has the updated site plan, which has been changed since the Planning Board meeting. The applicant has rotated the building so that it fronts on Gannaway. This change was in response to citizen request. Discussion for rezoning is based on the Town Land Development Plan (Comprehensive Plan) Johnson read the goals & policies of the LDP that apply to this rezoning.

Growth Management – Goals

- Carefully manage growth, making smart decisions that maintain & enhance Jamestown’s special community characteristics & heritage.
- Strategically locate new land development in the most appropriate places.
- Use infrastructure investments efficiently
- Attract new businesses & jobs and a more diverse tax base.
- Preserve our natural, cultural & historical resources and open space as we grow.

Policies:

- 1.1 Revitalize Jamestown to be the center of community life and opportunities for development of new retail, office & community services uses.

- 1.2 Rejuvenate & beautify Main Street to create more pedestrian friendly atmosphere & gathering area.
- 1.6 Encourage the design of new activity centers and wider mixture of uses.
- 1.11 Continue to value, preserve & enhance existing residential uses & neighborhoods, maintain small-town character. Infill development encouraged to efficiently use existing infrastructure, however new buildings and the renovation of existing buildings should fit the scale & character and add value to existing neighborhoods.
- 1.12 Encourage new residential land uses and neighborhoods that strike a balance between quality and affordability, and add to the livability and character of Jamestown by providing mixed-use, pedestrian-friendly neighborhoods that are well-connected to the community via sidewalks & greenways and provide a mixture of appropriate uses and housing types in appropriate locations.
- 1.13- Encourage adequate, affordable, attractive, quality housing to be provided for residents through the renovation of existing older homes, and the building of a balance mixture of housing types to match a range of lifestyles and income levels.
- 1.14 Encourage open space, parks & squares, encourage greenways, sidewalks & bike lanes added to existing neighborhoods where feasible.
- 1.15 Carefully balance individual property rights expecting new development to use best design features of our favorite existing areas & provide adequate buffers between incompatible uses.
- 1.16 Encourage alternative types & patterns of development, mixed use, cluster, PUD, TND to reduce cost, traffic, increase convenience & sense of community, protect environmentally sensitive areas, provide more parks, & open space close to where people live & work.
- 1.17 Encourage all to use these land development plan goals and policies as guidelines for smart growth decisions.

#### Community Appearance - Goals

- Carefully preserve & enhance Jamestown’s small town character & appearance as we grow.

#### Policies

- 3.1 Preserve small town feel.
- 3.2 Create downtown “village” feel along Main St. & use as selling point to attract entrepreneurs & visitors.
- 3.3 Maintain community pride as each new land use fits into our vision for the future – adding quality and value & enhancing quality of life.
- 3.4 Carefully consider appearance & design of new buildings & site development, to insure a good fit, improve appearance and is in harmony & compatible with other uses in the community.
- 3.5 Beautify existing streetscapes, encourage new streetscapes that provide pedestrian-friendly environment with adequate sidewalks and street trees, and attractive landscaping signage and building facades.

#### Quality of Life Goals

- Preserve Jamestown’s natural, cultural and historic resources as we grow.

#### Policies

- 4.3 Maintain & improve air quality with environmentally – friendly industry, and pedestrian-friendly, mixed use land patterns, more sidewalks, bike lanes & greenways, interconnected street patterns, & open space development.

Johnson continued that the Planning Board met on January 9<sup>th</sup>, 2012 to consider the rezoning request. The vote was 3-1 in favor of recommending the Council adopt the rezoning request. Johnson introduced the Planning Board Chair, Kerry Miller to give the Planning Board report. Kerry Miller reviewed the checklist the Planning Board submitted to the Council. Miller said the Planning Board did their homework. They solicited comments from the Public, attended several meetings and toured the Beacon

Management properties. The Planning Board voted 3-1 to recommend approval of this rezoning request.

Miller said the applicant has done an excellent job of reaching out and meeting with the neighbors. Miller said from his perspective Beacon Management was very accommodating, accessible & agreeable to providing information & answering any questions. They are eager to be a partner in Jamestown. The majority of the Planning Board felt this project fits the vision and Land Plan that most of us have for the community. It encourages opportunities for adequate, affordable, attractive housing and the building of a balance mixture of housing levels. Once completed, development will bring more people to downtown area leading to an increase in support for local businesses, restaurants, & professionals.

As far as economic impact, the Village View Senior Center will add to our tax revenue base, the local grocery stores, restaurants, and local businesses should see a positive economic impact from the influx of residents. Many of whom would be more likely pedestrian. The Board did have some concerns & questions, while not unanimous; some PB members were concerned that this development would be a huge three story brick building facing Gannaway St. The PB asked for a more attractive appearance and as we heard tonight the applicant changed the design to accommodate that concern. Also, the applicant will install sidewalks. Parking & traffic, although this proposed use would be better for parking & traffic than a retail use, several board members were concerned the parking & traffic issues had not been properly addressed, holding out hope this site would hold some promise for restaurant parking or adequate parking for Ragsdale/Gannaway.

Finally, the whole issue of multi-family housing within Jamestown was discussed. In summary, the majority of the Planning Board feels the proposed use will be an asset to the Town, adding people to shop & dine in Jamestown, increase our tax revenue base, making Jamestown a more walkable community.

Applicant, George Carr, addressed the Council. Mr. Carr introduced his Real Estate Development team. He also introduced Marc Isaacson, Attorney. Mr. Isaacson, 101 W. Friendly Ave., Greensboro, NC. Mr. Isaacson presented the rezoning request case to the Council. He distributed a hand-out to the Council Members. Mr. Isaacson stated we are here tonight to ask for the Council to approve a rezoning of this property to allow Beacon Management, a local family owned business, to develop this property for senior citizen apartment homes. We believe this proposal will add value to the Town of Jamestown and provide an alternative to other housing now available in this area. George Carr and his team have been developing and managing housing communities such as this for over 25 years. This company strives to offer a quality life alternative for retired seniors that desire to live independently and near existing infrastructures, such as grocery stores, pharmacies, medical offices, retail shops & similar places. Jamestown offers a good combination of those types of facilities accessed by sidewalks and good streets.

Mr. Isaacson reviewed the handout he distributed.

1. Zoning Map – Beacon feels this rezoning would be a good transitional use to connect Single Family with other Main Street Properties.
2. Zoning conditions – The Planning Director has already presented & reviewed these conditions. Isaacson said these are extensive 16 conditions. These are binding legal zoning conditions on the property if it should be approved.
3. Site Plan & elevation renderings - Beacon Management worked with the Town Planner to assure this is an attractive & pleasing design that fits well with the architecture in Jamestown. It is of Georgian style with Acorn style lighting (downward facing lighting). A lot of thought & sensitivity have gone into this design.

4. Photos of the property – Applicant supplied photos of the subject property which is a wooded vacant lot at the intersection of Ragsdale Rd. & Gannaway. The subject property is surrounded by the Town Homes, professional offices on Gannaway, the U.S. Post Office, single family residential and Food Lion Shopping Center.
5. Photo of other Beacon Management Properties – Applicant submitted photos of a similar project – Chuchview Farms – a well occupied senior citizens community near the coliseum on old Chapman Street.
6. Stormwater runoff-in the zoning conditions submitted cites very specifically that the developer shall not utilize a wet detention pond. There will be a:
  - i. Bio-cell area – grassy area with rocks and a drain.
  - ii. Buried Trench Sand Filter as permitted by DENR

Either device is more attractive, attracts fewer bugs and is safer than a pond. This device is more expensive to construct than a pond. This shows Mr. Carr’s committed to putting quality into this development.

7. Letters of Support – The applicant presented letters of support which included Pennybyrn and JBA. As well as 35+ letters from property owners, business owners and residents of Jamestown.

Beacon Management has tried to reach out to the community over a series of meeting; Town Hall type meeting, Saturday morning gathering at Perky’s, & tours of other Beacon properties in order to show folks their operation & product.

Isaacson wrapped up with a few facts he said Council may want to consider in this rezoning. The Town of Jamestown Land Development Plan calls for this type of increased density residential use to create a true mixed use of efficient and high quality land use in or near downtown. The Developer submits this is a good fit because of its location, topography, & type of use for residential housing for elderly people. This type mixed use development makes best use of existing Town infrastructure such as existing streets, sidewalks, grocery store, pharmacy, etc. This is an infill type development. This type development is a more efficient use of the property than sprawl development.

Issacson stated I submit to Council this type of development is low impact on Town resources. No schools will be impacted, no families will occupy the property, and no school buses will stop here. There is one central place for waste disposal. It will have a very low traffic impact. It will have much less impact than a commercial use that could occupy this property under the current zoning. Conversely, this proposal will result in a very high positive impact on Town resources. Revenues as estimated in the budget for this development are about 6.7 million dollars. In the hub of Jamestown, this will be a good example of the high standards that the Town Council has set for this community and will continue the progress happened thus under the good stewardship. The addition of brick sidewalks along frontage of Ragsdale & Gannaway will add to the appearance. Georgian style architecture and lighting, the landscaping, the tree conversation area, the screening of all outside equipment, will also add value in contrast to what may be permitted under current zoning with no conditions. If approved, this development will provide a very good balance housing community at reasonable rates for senior citizens. We believe will set a high standard of good quality for years to come. We ask that you consider this in light of your Planning Board recommendation for approval. For those reasons, we submit this proposal for your consideration and approval. He along with George Carr and the rest of the team will be happy to answer any questions.

Council Member Walls voiced concern that the drive on Gannaway was too close to the Post Office. Currently it is difficult to exit the Post Office with cars parked on both sides of Gannaway. Civil Engineer, Barrett Hayden, 7221 Northpoint Trace, Greensboro, NC addressed this concern. The reason for the driveway configuration is originally we had the building oriented a different way. However, due to

Public Input, we changed the orientation of the building. The building has a drive-up canopy where people can drive up and drop off or pick up residents. This entrance that goes through to the canopy is a one way entrance. The two full access entrances are located as far away from the intersection of Ragsdale/Gannaway as possible. The reason for the three entrances is to have parking on either side of the building and not all parking in the front and to maintain access to the covered canopy.

Council Member Nixon-Roney stated parking is related to the Southern Roots restaurant. She feels the developer has tried to accommodate input from the citizens. It is not fair to make the current parking issue a part of this project. Council Member Montgomery also stated they are two separate issues. Council Member Nixon-Roney asked for verification that the building would be all brick. Carr stated the building is all brick with the exception of the gables. Carr stated if there is a concern, they would be glad to accept this as an additional condition.

Mr. Isaacson revisited Council Member Wall's question about the access. Isaacson stated that the condition is that the applicant will substantially comply with the site plan submitted subject to the review by the TRC. If in the TRC process the access location becomes an issue, then the Staff has the right to compel the applicant to change the site plan. The applicant is submitting the site plan. However, if staff believes there are issues during the TRC process they may require the applicant to change site plan.

Council Member Walls referred to the Planning Board checklist item #6 with regard to economic impact to the Town, specifically tax revenue. Council Member Nixon-Roney went on record to give full disclosure that she met with Mr. Carr, spoke on the phone with Mr. Ragsdale and Mr. Isaacson. She did not go on the tours of the properties, but has ridden by other Beacon Management properties. Council discussed the issue with tax revenue. Council Member Walls stated that information was circulated that tax revenue would be substantially less than original estimate by the applicant. Some Council Members felt that the tax revenue was not really appropriate to consider. The case before the Council is in regard to rezoning.

Mayor Volz opened the Public Comment period of the Public Hearing. The Mayor asked for those in favor to please come forward to speak. State your name and address.

Dot Perdue, 723 Guilford College Rd. Stated she toured Beacon Management properties that are of similar use. She was impressed with the product and the management. She feels this will be an asset to Jamestown.

John Capes, 704 O'Neill Dr. In his opinion, seems a lot of effort has gone into accommodating the needs of the Town. This is a good opportunity for growth & development. He feels this will add value to the Town. It is a positive move.

Kevin Boyette – 115 Ganaway – He and his wife had three meetings with Mr. Carr & Patrick. They toured existing Beacon Management Properties. He and his wife are totally for the project. Regarding property value, he bought knowingly a house 200' from a loading dock at Food Lion. He doesn't think this property will negatively impact his property. Traffic from other uses could be worse than this development. He lives there and knows the traffic problem. He feels that is a separate issue. He wholeheartedly supports this project.

Mayor Volz asked for those that want to speak in opposition to the rezoning to please come forward and give your name and address.

Kurt Collins, 113 Gannaway, He distributed handouts to the Council. Facts are traffic and parking is definitely a problem and this will add to it. He doesn't feel we should penalize an existing revenue generating business, Southern Roots, to accommodate something else. He questioned lot size, there was a similar project approved for a parcel twice the size of this one. However, the developer chose to build the same structure on this parcel which is half the size. A panel of citizens worked on the 2020 LDP. Some of the concerns reported during this plan development process were; Multi-family housing issues citing quantity too high, big apartment complexes have problems, bad multifamily experiences, crime, noise & traffic. Regarding crime, Mr. Collins referred to the handout he gave to the Council. He stated this is a crime report of Beacon Management property in Greensboro. He visited these properties. He gathered this data from the Greensboro Police Dept. website. Crimes include impersonating an officer, vandalism, larceny, breaking & entering. He is concerned this project will bring more traffic and a strong potential for crime. Mr. Collins said he is a Real Estate broker and he knows there will be a negative impact on the surrounding properties.

Council Member Nixon-Roney referred to the crime report data. The highest number she saw was six (6) incidents in 1 year. As a practicing criminal attorney that is extremely low. Also, some of the incidents involved the residents as the victims. Mr. Collins stated the crime report for Gannaway had 0 crimes. Council Member Nixon-Roney replied that Jamestown has more officers per person. Regarding the parking, this is an existing problem and it is not fair to penalize this developer for that. She feels it is a separate issue. Council Member Montgomery stated her understanding of the reason for the change in location from the previously approved project was due to expected commercial development near the original site did not happen. Therefore, the expected amenities and local businesses for the residents to utilize were not built.

Mr. Collins said it has come to his attention that some government funding is involved in the project financing, if so would that affect the eligibility of the tenants. We know it is income based housing.

Mayor Volz asked if there was anyone else that wished to speak in opposition of this development.

Wes Cashwell, member of 103 Gannaway LLC. The proposed project, Village View Apartments, is located across the street from his establishment. While he is speaking in the opposition period, he would strongly urge both the community and the Council to embrace Mr. Carr and his project. He feels it is well thought out and planned. However, he would also urge this Council to take this opportunity to address the parking situation on Gannaway. Cashwell stated that Council Member Nixon-Roney pointed out that it is not fair to penalize existing businesses for something that may transpire in terms of parking with Village View Apartment. However, with the inception of Southern Roots there has been no adequate provision for parking. As a result, through the generosity of its neighbors on Gannaway St., the folks at Southern Roots have found parking spaces. Another successful art painting business has opened at the corner of Main & Gannaway which also has a great clientele and on any particular Wednesday, Friday and Saturday evening, you will see cars lined head to tail along Gannaway St. I would propose to you that as the two entrances to the Village View Apartments is now located, will cause an issue. As the civil engineering firm pointed out, the busiest intersection in proximity to the proposed development is Ragsdale/Gannaway. The second busiest is the US Post Office and the Gannaway site. People will make left turns onto Gannaway St. out of the Post Office and people making left turns out of Village View Apartments heading toward Main will create a lot of carnage in the middle of that street. If cars are lined nose to tail on both sides of the street folks are trying to find the entrance to the portico to drop off their clients or loved ones. It is not a good situation for parking. Embrace the idea of Village View development but take the opportunity to legislate parking on Gannaway St. (No parking, parking time limits, etc.) Design something to allow the safe passage of vehicles while cars are on both sides of this road. If not in the near future we will see more congestion.

Take the time to review how to fix parking on Gannaway St. now and in the future. Cashwell welcomed Mr. Carr to the community and hope his project is successful. He urged to go back to the civil engineering firm and make sure that this is the right access for the development.

Stanton Calvarese – 103 Forestdale Drive. He lives in the general vicinity of the proposed Village View Apartments. He travels this site almost every day. He said statistics show that crime will increase. The 3 major reasons he is opposed to it are: 1) traffic concerns, 2) want seniors to be happy. He pictures a different setting for seniors 3) children & wildlife – several species of plants, animals & birds, good place for children to play. He wants to see Forestdale area stay a nice, quite area. In closing, I want the best for the neighbors, best for the senior citizens and best for the wildlife and animals.

Eddie Oakley said Beacon has done an outstanding job of marketing this piece of property and their other properties. I am the Planning Board member that voted against this project. He was upset that the plan submitted at this meeting is totally different from the plan submitted to the Planning Board. He is appalled no conversation or extra meeting was held with the Planning Board. I live in Forestdale and I have spoken to others that live nearby and all are opposed to it. They are opposed to tax value dropping. Prior to the Planning Board meeting on this case, he gathered the data on traffic car counts that go in and out of the Post Office every day. Now this plan proposes 2 more driveways on Gannaway, with one extremely close to the Post Office. There are 7 different driveways within half a block on Gannaway which is a 2 way street with parking on the street. He is concerned about traffic, tax value of residents in Forestdale. This is a low income project not middle or high income. Mayor Volz closed the

Public Comment Period portion of the Public hearing.

Council Member Walls asked since the site was changed, should it go back to the Planning Board for review. Mayor Volz said to first address the issues that were changed. Council Member Montgomery stated as the Council Liaison to the Planning Board, she attended the meeting. She said they have not changed the plan of the building. A major concern of the Planning Board was that the development contained 3 stories, 15' from Gannaway St. Mr. Carr redesigned the site plan so that the building set further back from the street. I do not see that as a change in the plan. We are looking at rezoning. Beacon took the information they got at the Planning Board and improved upon it. Council Member Montgomery said the entrance and exit driveways are basically the same driveways that were on the earlier plan.

The Town Attorney stated for a point of clarification, the applicant is allowed at Council, which is the next Public Hearing after the Planning Board, to offer conditions that are more restrictive than what the Planning Board considered. In this case, it is not a condition; it was just a re-orientation of the site plan. In my opinion, that is a neutral offering neither more nor less restrictive. It is an offering by the applicant to address concerns they heard at the Planning Board. Council Member Nixon-Roney said what she is hearing is that this is not a change in the plan; it is just a change in the site orientation.

Johnson stated this is a conditional zoning and conditions may change up to the time of the vote. This site plan does not substantially change the intent of the design. They placed the building at the request of the public comments received at Planning Board meeting. Council Member Thomas said that was his impression. That this was a positive based off the feedback received at public meetings. Mr. Carr said that is the only reason they made the change, due to comments they received at the public meeting. Actually, this site orientation will be more costly. Miller did respond that the Planning Board was not officially notified of this. He saw it for the first time tonight. The Planning Board was concerned of the 3 story brick building on Gannaway. Miller's personally opinion, have not talked to other Board members, is that this is an additional condition to make the development more attractive. Oakley said this will be

a huge tall building, 50' above the first floor plus the roof. Charles Pierce, 310 Sycamore St., Project Architect, stated the tallest part of the building is 47' from the floor to the ridge of the roof. The other section of roof is 46'.10" from the floor to the ridge. Both of these meet the condition of less than 50'. Pierce said this is the same building height as presented to the Planning Board.

Council Member Nixon-Roney said there are a host of things we can do to improve the parking. (One-way street, only right hand turns, no parking on Gannaway, 2 hour parking on Gannaway) But is that within the scope of the rezoning case being considered. Council Member Nixon-Roney said she has received 3 calls against the project and a host of people for it. Council Member Montgomery stated she had the same 3 opposing calls. Council Member Thomas received one comment regarding the position of the building which has been addressed. The second concern received was that property values will decline. Mr. Carr stated they did receive inquiries around tax value around their properties. Carr & staff gathered the data of prior tax value and current tax value evaluations. He had that data with him and would be glad to show the Council. In all cases the evaluations have increased nicely. Typically the average value increase was 25-30% on all properties that surrounded their developments. There would be no negative impact on property values, per Mr. Carr.

Some discussion occurred regarding high-rise buildings.

Mayor Volz stated the public opposition period is closed. Mr. Carr said they had a summary of the property value of their local developments and surrounding property and all show an increase in value. They reported every item they found. (Tax Department re-evaluates properties every 8 years.) Mr. Carr rebutted the comment made that we would only generate taxes from this project in the amount of \$5000.00-\$6000.00. Guilford County makes the tax assessments. The tax rate is set by Guilford County and the Town of Jamestown. Our budget for estimate of expected taxes is \$23,500.00.

Council Member Nixon-Roney stated one of our citizens wanted to know about any government funding eligibility on the project. Mr. Carr said the budget is close to 6.8 million dollars in expenses. The funds will come from private capital and private loans. There is the possibility to get a NC Finance Agency production loan, but not guaranteed. They will be using a local bank. Private bank will provide all our funding.

Carr said in addition to the 55 + age restriction, there is an income limit at the time of entering only, approximately \$26,000.00. (\$16,000. – 26,000.) Mr. Carr said that a residents rent does not change. Council Member Montgomery asked to explain investments. Carr stated they have a lot of residents that sale their homes to come live with them. We have to impute the value to either the appraised value of their home or sales price. We impute at the current rate of 1-2% and add that amount to the imputed income.

All residents are screened by criminal background check and credit checks. They very rarely have a payment problem with rents.

Council Member Walls asked for information to show that the tax structure would not be based on actual rents (income approach) verses the cost of the building. (Approximately 6 million) Mr. Carr said the statement made that the actual tax revenue for this property would be \$5000.00 is absolutely wrong. It is fallacious and inaccurate.

Council Member Walls asked if in good will & good faith you could give the citizens of Jamestown a preference for residents in your facility. Carr said that the residents of Jamestown have a natural advantage. We move people in on a chronological basis. Residents of Jamestown need only give him

your name and you will be on the list. Marc Isaacson stated to add this as a condition has an enforcement issue for the Town. Every condition has to be written & designed to be enforceable by the Town of Jamestown. There is also the matter of discriminatory law. Practically speaking there is a need for senior housing in this area. Jamestown is the market and residents should come from here.

Council Member Nixon-Roney asked for the Public Comment portion of the Public Hearing to be re-opened. If there is someone they have not heard from, she would like to give them that opportunity to be heard. The Council Members agreed.

Mayor Volz stated if there is anyone that wished to speak in favor of the project to please come forward. The Clerk asked for verification that this additional period is for people that did not speak previously. The Council did agree that this time is for citizens that have not been previously heard.

Mary Faye Bodenhimer, 400 Forestdale Drive, She thought she heard that all the properties around Beacon Management developments increased in value. If the way to determine the value of a house is to sale it, did everybody sale their house that was located around the development to determine that the price went up. If they did, it was because they did not like what was being built.

Mayor Volz stated we are in the opposition period of Public Comment. Is there anyone else that wishes to speak. Pam Harden, 204 Ragsdale Rd. She stated she lives next door to the proposed facility. She has lived here all her life. Harden said she likes to live nice & quietly. They do not speak out. They do not want to bother anyone or to be bothered. She is not really in favor or against the project. She does not know the advantages or disadvantages of the project.

Council Member Nixon-Roney said she too has lived here all her life and started serving Jamestown about 6 years ago. The Council is just trying to do the best thing for Jamestown. The Council needs to hear from everyone how they feel about items that come to the Council. They Council cannot make an informed decision without the citizen input. Please contact the Council; they want to hear from you.

Pam Harden said while neutral on the project, she would like to know what building will actually be built on the site. Harden did direct her remarks to the developer and said that it is unfortunate for him; he came into an existing parking problem. Parking is a big problem in Jamestown. She said this project will elevate some of the parking problems because people will park in the Village View parking lot. Harden said Tuesday – Saturday cars are parked all along Gannaway St.

Mr. Carr said this has happened in their history, but the first tow truck that goes in and pulls a car out, it does not happen after that. It is a self-correcting issue. The project contains 47 dwelling units with 61 parking spaces. They have more than adequate parking. All residents will be issued a parking decal.

Mayor Volz said it is clear we need to work on the parking. Staff is working with NCDOT & others regarding solutions to parking. Mayor Volz asked if there was anyone else that wished to speak in opposition.

Art Wise, Planning Board Member, he voted in favor of the project. He agreed that the site plan presented here tonight is not what we saw at the Planning Board meeting. It is immaterial whether this would change his vote or not. If the Planning Board votes on issues, and they have changes made to it after the fact, then Planning Board is not needed.

Mr. Carr said that 1 member of the Planning Board wrote an email and indicated she recommends strongly that we adopt the reversal of the building plan. That was her biggest negative, although she

voted in favor of the project. We (Mr. Carr) were simply trying to adjust to the input received. However, we do feel it is a superior site for the building.

Council Member Nixon-Roney stated that at the Council meeting the Council has the opportunity to make changes and add conditions to any project that comes before them, as long as it is not a more liberal condition. The Council discussed the driveway locations which seemed to be a concern of the citizens which spoke. Beacon Mgt. stated that the two driveways are in the exact same spot as they were on the plan submitted to the Planning Board. The only difference is when we change the building to face Gannaway, we had no access to it. To keep most of the traffic and most of the parking on the side of the building, we are only proposing a one-way entrance off of Gannaway. From a safety standpoint, you do not have 2 entrances with people trying to get out with conflicting turns. You have one entrance for people to get out and you have 2 entrances for people to get in. This is a more expensive way to develop the property, but was done as a good faith due to comments we received.

Mayor Volz closed the Public Comment portion of the Public hearing. He asked for any additional input from the Council. Council Member Walls recommended sending the rezoning case back to the Planning Board for their review. Council Member Nixon-Roney felt the case as presented was not a change in the rezoning request, but was a site adjustment. This does not change the conditional use of the rezoning. She agrees the Council needs to address the parking issues in this area, but does not feel this is the proper time to do it. Council Member Nixon-Roney stated this developer has done everything asked to do to accommodate the requests of the citizens. She commends the Beacon group for their efforts to make everybody happy. Council Member Nixon-Roney stated she placed the additional restriction of the building being all brick façade. She is ready to vote on the rezoning request however, is willing to agree with the other Council Members if they wish to send this case back to the Planning Board. Council Member Montgomery stated having sat in on the Planning Board meeting (PB liaison) these changes are in direct response to the concerns. I see this as nothing but in response to the request to make the building more attractive. Council Member Thomas said that he can appreciate the comments of Mr. Oakley and Mr. Wise. However, I see this as a benefit to the public that had a concern with a large brick building backing up to Gannaway. He too is ready to vote.

Council Member Montgomery made a motion to approve the rezoning request from MS (Main St.) to CZ-MS (Conditional Zoning -Main Street) for the property located at 202 R1 Ragsdale Rd. (Conditions 1 – 16 attached Condition #5 amended to read: The building materials shall be all brick with the exception of accent areas) Council Member Thomas made a second to the motion. On a roll call vote:

Council Member Thomas voted aye

Council Member Nixon-Roney voted aye

Council member Montgomery voted aye

Council Member Walls voted aye

The motion passed by unanimous vote. Mayor Volz called for a 5 minutes recess. (9:05pm)

Mayor Volz reconvened the meeting at 9:13 pm.

5. Public Hearing continued to consider an Ordinance Creating Jamestown Historic Preservation Commission – Mayor Volz called on Dot Perdue. She thanked the Council for allowing this group to change the time from last month to this month due to the death of Jane Payne’s father. Perdue said this preservation group has prepared numerous scheduled programs to educate the public about historic preservation as well as public hearings and they have come before the Council twice. We have answered questions that anyone has asked. We have had groups from Salisbury, Thomasville and Greensboro come meet with us. We feel we have done all that we can do up to this point. We have given the Council the draft. The draft has been approved by

Robert Crawford, State office assigned to work with us in completing this task. This is only a guide and the Council may make any changes they see fit. The ordinance must go to the State for final approval. Then the Commission is appointed by the Council. This will establish the beginning of the Commission. We would appreciate if the Council would consider having a Historic Commission in Jamestown because we are losing our historic features. She turned the presentation over to Mary Browning.

Browning stating once again please pass an Ordinance Creating a local Historic Preservation Commission. We have given you a carefully constructed draft that has gone through several revisions and now satisfies the State Preservation Office, the Town Planner and the Town Attorney. Council has had the draft for 2 months. Council was also given a copy of the Preservation Handbook. We are asking that you accept the draft ordinance as it is written. Jane Payne worked very hard on this ordinance and she has our gratitude. We think such a Commission will throw a spotlight Jamestown's historical assets. We think this will be good for businesses, for households and all that pass this way. We understand that there are objections and we respect that. However, we think the benefits outweigh these objections. Per Browning, property values never go down in historic districts; significant tax breaks are available for landmark properties. History is something we have and we can sale it. It is an asset. We have done all within our power to provide the Council and citizens information that explains how the Commission would work. It seems obvious to me that Jamestown; older than Greensboro, older than High Point, should of all places in Guilford County would want to protect and preserve and even capitalize upon this remarkable history rather than watch as historic assets deteriorate. Please do us the honor of creating a Historic Commission.

Julie Currie, 711 Chestnut St., Greensboro, NC. I am a historic preservation consultant. I have 15-20 years experience as a Historic Preservation Planner in North Carolina and work for the State Historic Preservation Office. This office is responsible for the regulations and format for Historic Preservation Commission. This is a big decision for Jamestown. This is much needed. Often these Commissions come in too late. By forming this Commission, it will save Jamestown's remaining historic properties.

Mayor Volz opened the Public Hearing which was continued from the January Council meeting. Mayor Volz asked for all those in favor of the ordinance to please come forward.

Charles Dowdy, 214 Misty Waters Lane. A Lot of time has gone into trying to create a Historic Commission in Jamestown. He feels if a Commission is not approved the fate of Oakdale Church could be at stake. Also of historic importance are Oakdale Road, Jamestown Library and the Grist Mill on Dillon Road. We should take example from the Town of Salisbury.

George Ragsdale, 404 E. Main St. I live in a home that is on the National, State and Local Historic Registry. I am a fervent believer in historic preservation if done correctly. The Town and he personally have benefited from the historic designations in Town. However, he does caution that the regulations, ordinance, etc. are in black & white and well defined. This is an excellent opportunity. It is a big decision and how it is carried forward is even more important.

Ragsdale said he is speaking on behalf of family that resides in New Jersey and that own property here. The one message they wanted relayed is, if things are not clearly defined it can be more restrictive than beneficial.

Ragsdale said he hopes that you move in favor of the historic preservation but make sure it is done the right way.

Mary Dalton, 209 Potter Drive. She speaks in favor of the establishment of the Jamestown Historic Preservation Commission. While it is important for each citizen to speak out on issues that affect us directly, I believe it is necessary to have a separate entity like the Jamestown Preservation Commission to consider the common good if we are to save what is precious and unique to Jamestown. She is grateful to the individuals that have worked tirelessly on this project. If the Commission is established, she will support its work. She offers her support for the Jamestown Historic Preservation Commission. Ms. Dalton stated that she also speaks for her parents, 211 Potter Drive and for her sister and her family, 103 Newberry St. One last statement, please refer to the Forestdale Subdivision as "Original Forestdale Subdivision".

John Capes, 704 O'Neill Drive. I have lived here 8 years. He feels the history we have as a community is part of what makes us rich. We need caretakers to help make sure history is maintained. He is in favor of this.

Shawn Rogers, 5236 Hilltop Rd. He supports this endeavor. He is a member of the Jamestown Historic Society. He recently served as a member of the design review committee for Greensboro Preservation.

Jane Haney, Oakdale Church, supports the Historic Jamestown Commission.

Will Ragsdale, 407 E. Main St., I am in favor but it must be done correctly and clearly understand how the ordinance will be regulated.

Mayor Volz then called for anyone that wished to speak against the ordinance, please come forward.

Jim Mooney, 210 Shadowlawn Drive – He stated he is not against Historic Preservation; however, he is against it being forced on the people. He opposes this ordinance because the commission is not an advisory group. If approved the Commission would have the power to:

- Designate a property as historic landmark, with Town Council concurrence, without the owner's permission
- Designate a district in which your property is situated as a historic district, with Town Council concurrence, whether you want to be included or not
- Once your property is designated part of a historic district the Commission has the power to deny owner permission to alter the exterior of your property, or the arrangement/landscaping of your property, the way you would like to, if they don't like your plan, and they can stop you without the elected Town Council's approval
- Initiate legal action against you if they don't like the way you are maintaining your property
- They cannot deny you a Certificate of Appropriateness for a project involving demolition of any part of your property; they can legally stall the work for up to a year.

The ordinance stated the Commission may use any legal means to fund their work and even to fund acquisition of the properties & restoration projects. He feels the Commission will ask the Town for the funds. Taxpayer's will ultimately pay for it. The ordinance gives the Commission the authority to

operate historic properties. He does not believe we elected Town officials to force historic preservation on the citizen and then turn it over to 5 or 7 people that the citizens did not elect.

Per Code of Ethics: the Town Council shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen. He feels this ordinance will give that special consideration to these 5 – 7 Commission members.

The ordinance clearly gives the advocates for the Commission the power to force people to do things differently than they want to do with their own private property. He strongly urges that you reject this ordinance and the creation of a Commission.

Charles Yates, 512 Oakdale Rd., as a landowner this ordinance would make a landowner give up their right of what they can and cannot do with their property. He attended the meeting at Oakdale Church. The committee stated that from Harvey Rd. to the Car Wash at the Railroad would be designated as their first project. As a landowner he doesn't want anyone coming on his property telling him what he can and cannot do. I am opposed to it.

Tony Cruthis, 600 Oakdale Rd., He is not opposed to a Historic Society, but has not heard anyone that is in favor of this Historic District creation actually living in a historic site. All the people he spoke to on Oakdale Rd. are in opposition to it due to the taking away of owner's rights.

He does not see any benefit to it except maybe a tax break; however, not at the expense of giving up my freedom of how I want to keep up my property. Most people on Oakdale Rd. will keep their properties maintained. No one has to tell them to do that.

Mayor Volz closed the Public comment section of the Public Hearing. He called for Council discussion. Council Member Thomas said he feels the intentions of these folks that are in favor of this are honorable; he has nothing but respect for those folks that are in favor of it. I am in favor of an advisory committee, but not in favor of appointing a board or an ordinance that tells people what they can and cannot do with their own property. Council discussed the difference between a historic district and historic landmark properties.

Council Member Nixon-Roney said she is in favor of historic districts but too much power is written in the ordinance. She would like to see areas identified and then tailor the ordinance around it. She respects the ladies that have worked on this. However, when they retire and others take their place, they may have issues. Again, feels we need to designate some areas first and talk to those owners. Then develop an ordinance we all agree on. Mayor Volz agreed he would like to see property owners in agreement to accepting a historic designation and the ordinance. All property owners have an opportunity to be heard. Mayor Volz stated perhaps start small and get the owners support on the front end.

Mrs. Browning stated in every step of the ordinance nothing happens without Council approval. First action by the Commission is to study the Town for possible historic properties and districts. Then this is brought to the Council. If an area is considered as a historic district, a public hearing is held.

The Town Attorney said the G.S. states that in order to create a historic district you must also create a historic district commission. Staff has shared with this committee to identify an area of study. Then share that with the people involved there and try to garner support from those folks prior to the establishment of the Commission. Johnson stated further that State approval is required for historic districts and guidelines would need to be approved by the Planning Board and the Council. Council

Member Nixon-Roney too felt it appropriate to garner support and then establish the Commission. Johnson said that has been staff recommendation all along.

Mayor Volz & Council Member Nixon-Roney feel it is a good idea, but prefer a process to garner support from property owners within the identified district, and then seek Council support for the ordinance. At present, a property owner may apply for landmark status through Guilford County Historic Preservation Commission of which Jamestown has a representative. Council held a lengthy discussion with the members of the grassroots historic preservation group and representatives present in the audience as to the process and the advantages & disadvantages of the proposed ordinance creating Jamestown Historic Preservation Commission. Mayor Volz asked if they held any one on one meetings with property owners that were in favor of this. Mrs. Browning said there were several public meetings. However, Council wanted to hear from property owners that owned property in the areas that might be designated as historic.

Council Member Walls asked about funding for the Commission. Mary Browning said most of the money usually asked for by the Commission is to pay someone to do the studies. The group feels they can do their own study. They do not anticipate asking for any more than just office expenses. The Town Manager stated to Council Member Walls, if the Commission is approved, staff would seek a budget amendment in the amount of \$500.00 to get through the remainder of this fiscal year. Then during the budget process, the Commission would request a budget for next year, which the Council would consider for adoption. Smith stated enforcement of the ordinance would come through the Planning Department. There may be legal fees associated as well.

Council discussed properties within a district and non-contributing property within a district. A property cannot opt out of a district. Mayor Volz referred to an email received from Rob Crawford, State Historic Office, which said at present, he did not feel the historic group had enough public support for the historic preservation ordinance. Also Crawford could not support it at this time.

Dot Perdue stated that Mr. Crawford has been to Jamestown three times. We realize that we have more education to do. She stated they could talk with people on Oakdale Rd. and still they would not want it. Mayor Volz suggested they try a different location. The historic preservation group stated that establishment of this proposed ordinance does not automatically establish a historic district.

Council Member Montgomery stated if Browning & Perdue think there is a real need for this, please identify and bring us an area where there is an interest for it. Then the Council will look at it. Council discussed the language in the Ordinance, historic districts and landmark designations. It was stated that a historic district is more than one house. However, if you establish a district you would not want to continue to amend it. For example, Oakdale Road would be set up for the desired limits of the district to begin with not do a small section and continue to amend it by adding to it. The Council wanted to see interest from the property owners that lived in an area considered to be a historic district before they would consider accepting this. Council Member Nixon-Roney stated to her it gave great weight that Rob Crawford, State Historic Office, did not support this. She stated she sees Council has two choices: 1) table it to see if there is an interest or 2) vote on the ordinance, yes or no, at this meeting. Council Member Nixon-Roney stated as currently written she is uncomfortable with this ordinance as were other Council Members. Council Member Nixon-Roney made a motion to table the proposed ordinance creating Jamestown Historic Preservation Commission until there is interest by the property owners. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

#### 6. Public comment Period –

Kevin Bottomley, Executive Director Ragsdale YMCA, gave an update on happenings at the Jamestown YMCA as follows:

- Mid March – 2<sup>nd</sup> session of “Go Far” – Youth running program – 8 wk. program
- Mid March – Live Strong Program. Cancer survivor program
- March 24 – Community Wellness Fair – sponsored by GTCC & the Ragsdale YMCA – in the YMCA Gym. First joint venture
- May 18 – Magnolia Lunch – fundraiser

Will Ragsdale, 407 E. Main St., He is speaking in regard to item #9 of the Agenda – He asked that the Council vote no for the rezoning request for the electronic gaming business located near Sheetz. The rationale is we already have two establishments within two miles of the Town Hall. We have a high density for electronic gaming establishments. He does not feel it is in tune with the Town. He feels there are better ways to “brand” the Town. He encourages the Council to vote no to the rezoning request.

7. Annual report from the Jamestown Public Library – due to the late hour the presenter could not stay. The Town Manager requested this item to be removed and placed on the next Council meeting agenda. Council agreed.
8. Jamestown Garbage Pick-up Policy change request by Jamestown Council Member – Council Member Walls presented a Power Pt. presentation and requested a policy change to trash pick-up. Council Member Walls cited reasons for a change:
  - Safe clean living should be paramount
  - Crow littered garbage is a health hazard to citizens and public services workers
  - Citizens who are physically challenged by health situations cannot clean up littered garbage
  - Littered garbage attracts insects, mice, rats, snakes, birds and other animals
  - Looks bad & smells bad, turn-off to prospective home buyers
  - Use of ammonia is a health hazard to citizens & public service workers, pets, animals and birds
  - Citizens have to pick-up littered garbage 2 times a week.

Council Member Walls said some citizens have started putting tarps over their garbage. This is a good place for snakes and vermin to hide.

Council Member Walls talked to some local experts for recommendations:

- NC State University and NC A& T State University Cooperative’s Guilford County Exterior Director, Wick Wickliffe, recommends a policy
- Dennis Burnette, Guilford County’s T. Gilbert Pearson Audubon Society & Dr. Lynn Moseley, Guilford County Bird Specialist, recommends trash cans. Dr. Moseley stated there is no evidence that crows can smell.
- Piedmont Environmental Center Director, Dick Thomas, recommends impervious containers

Council Member Walls stated it is recommended that reference to use of ammonia with regard to trash be removed from the Town website. Per Council Member Walls, the NC Department of Health & Human Services Hazardous Substances Emergency Events Surveillance Program for ammonia states that ammonia can irritate the skin and eyes. It can cause burning, swelling and

many cause blindness. It can cause burning of the eyes, nose & throat. Council Member Walls stated if adopted, Trash Can guidelines as follows:

- Trash can use is voluntary to remedy chronic crow, animal & other situations as needed to prevent garbage littering
- Town staff shall create guidelines to include selecting an appropriate trash can type & size to be used by the citizens. The guidelines shall be posted within 30 days of this policy change on the Town's website and in other media sources
- The citizen shall be required to retrieve the trash can from the curb within 24 hours after each pick-up
- The trash cans shall be purchased and maintained by the citizen

Council Member Walls provided a picture of a 32 gallon trash can that holds approximately three full tied up plastic trash bags. He stated again this is a voluntary program for those with chronic crow problems. The use of cans would correct this problem.

9. Consideration of the rezoning request from CZ-C (conditional-zoning-commercial) to CZ-C (conditional zoning-commercial) for the property located at 1002 Gardner Hill Drive to allow electronic gaming business. Chuck Smith stated at the January 17, 2012 Council meeting the Council heard a rezoning request for 1002 Gardner Hill Drive. Council Member Thomas made a motion to approve the rezoning request from CZ-C to CZ-C to allow electronic gaming businesses. Council Member Walls made a second to the motion. The Council vote was a tie vote. This required the Mayor to vote. Mayor Volz voted aye, in favor of the request. This was a 3-2 vote in favor of the rezoning request. Since this rezoning was an amendment to an ordinance, to be finally adopted on the date on which it is first introduced, an affirmative vote equal to or greater than two-thirds of the actual membership of the Council is required. Therefore, a second vote of the ordinance amendment is required. A public hearing was conducted and closed at the previous meeting. There is no further discussion required at this meeting just the second vote.

Council Member Thomas repeated his position from the last meeting that he felt this use was no different than an adult version of video games. It is a legal business. Council Member Walls stated he has received some emails opposing this request. As the Jamestown Main Street Revitalization Liaison, he met with President of GTCC, Dr. Parker. Dr. Parker stated concern of students exposed to this use.

Council Member Montgomery has been unable to identify the owner of the business and there is no published phone number. As of February 15, 2012 there is no record of sales tax paid for this address. Also, as of February 15, 2012, there is no evidence of business personal property tax listed or extended. They do not play by the rules. For these reason, Council Member Montgomery made a motion to deny this rezoning.

The Town Manager clarified to the Council that there is a motion on the table from the previous meeting. If that motion fails then the Council may consider a new motion. Council Member Montgomery withdrew her motion. The Council discussed the location of the business and the surrounding properties & schools. Council Member Thomas stood by his original motion.

*The Town Clerk read the original motion: Council Member Thomas moved to approve the rezoning request from CZ-C to CZ-C the property located at 1002 Gardner Hill Drive to allow electronic gaming businesses in Town.*

Mayor Volz called for a second to the motion. There being none, the motion did not pass for a lack of a second to the motion.

10. Consideration of approval of bid award for Robbins Avenue Water Line Replacement Project – Paul Blanchard said he is here to request consideration of the Robbins Avenue water line contract. Bids were received to construct the 6” water line to replace the existing 1 ½” water line on Robbins Avenue. Breece Enterprises was the low bidder in the amount of \$90,590.00.

Council Member Thomas made a motion to approve the lowest bid of Breece Enterprises in the amount of \$90,590.000. Council Member Walls made a second to the motion. Council Member Montgomery asked if we have used Breece before and if we received good services. Blanchard answered yes to both. The motion passed by unanimous vote.

11. Set Public Hearing date to consider amendment to Prohibiting Parking & Enforcement Ordinance #2011-6-1 – The Town Clerk stated the Sheriff’s Department has informed the Town there is a discrepancy between the Town ordinance and the “No Parking” in handicapped signs posted throughout the Town. A Public Hearing is requested for the March meeting to consider a text amendment to correct the conflicting violation fee.

Council Member Nixon-Roney made a motion to set a public hearing date for the March 20, 2012 regular meeting to consider an amendment to the current ordinance Prohibiting Parking & Enforcement. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

12. Resolution Recognizing Arbor Day – the Planning Director informed the Council that the Town would like to recognize Arbor Day on March 16, 2012. Council Member Nixon-Roney made a motion to accept the Resolution Recognizing Arbor Day as presented. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

(Resolution)

Johnson said the Town would be planting trees at the Jamestown Athletic Soccer Fields on March 16, 2012, at 4:00 pm.

13. Request to approve update to the community-based organization funding policy & application – Chuck Smith stated the existing application does not capture enough information from the applicant. The new application requests information the Council has asked for in the past.

Council Member Nixon-Roney made a motion to approve the updated community non-profit organization application for grant funds form. Council Member Walls asked how this ties in with the YMCA 10 year agreement. The Town Manager said the YMCA submits an application each year requesting the funds. The Town Manager did request a change to the deadline on the submitted form from March 30, 2012 to March 9, 2012. Council Member Nixon-Roney restated her motion to approve the updated community non-profit organization application for grant funds with amended deadline date to March 9<sup>th</sup>, 2012. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

14. Discussion regarding traffic study – The Town Manager stated he and Mayor Volz had a productive meeting with representatives from NCDOT, GTCC, YMCA & Guilford County School System to discuss traffic around areas of GTCC & Ragsdale High School. The Town Manager contacted MAB, traffic planning & engineering consultants. After reviving the scope of the project, MAB reduced the cost of the project by \$10,000.00. Smith also secured a verbal

commitment from HPMPO in the amount of 80% of the contact amount. Also a verbal commitment from NCDOT for 20% of the contract amount. There may be some funding from the YMCA as well for traffic study. Smith requested the Council to direct him to negotiate a written approval of HPMPO & NCDOT to commit funds to the project. Since this contract would be with the Town, we would have to pay this money up front and get reimbursement upon completion of the study. The Finance Director would prepare a budget amendment for the next month's meeting. The full cost of the study is \$58,800.00. Per Smith from the study we would have some short term goals that DOT could be able to accomplish possibly prior to or during construction on the By-pass.

The study will also focus on improvements to the TIP to work with HPMPO for the next 3 – 5 years.

Council Member Nixon-Roney made a motion to direct the Town Manager to move forward with steps to garner funds on behalf of the traffic study. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

15. Discussion of the First Tee Program Agreement – The Town Manager stated Council previously lent its support to the idea of bringing the First Tee Program to Jamestown Park. Smith outlined some key items of how Jamestown Park will be impacted by this agreement:

- 10 year agreement with the Town
- 450 hours of access to the golf facility for their program
- Equates to approximately \$3150.00 to \$3600.00 in green fees for the youth
- Fees charged for use beyond the 450 hours to be at a “substantial discount to normal rates charged”
- Access to the golf facility (course, range, putting greens) is to occur Mon.-Thurs. 4:15pm – 6:00pm with set up beginning 3:30pm and clean up through 6:30 pm throughout April to the end of October.

Hutcheon said there will be some challenges with this but he thinks the benefits outweigh the challenges. At present we have 2 high school teams that use the facility and he teaches a lot of the kids that play on the team. We will not know how the First Tee Program schedule will impact the course until we go through a cycle.

The Town Manager said before he invest staff time and professional services he would like to get direction from the Council as to whether to proceed with working with First Tee representatives in reviewing the proposed contract.

Council Member Nixon-Roney sees it as a positive and what we built the golf course for, giving back to the community and cultivating a new generation of golfers. Council agreed to have the Town Manager spend the man hours necessary to revising the agreement with the First Tee Program and bring back to the Council for consideration.

16. Approval of golf & utility vehicle lease agreement – Judy Gallman stated it is time to renew the 2 leases on the golf carts and the range picker machine and utility cart. Gallman requested approval of the 2 leases and for Council to designate the Town Manager and the Finance Officer as authorized signers, in order to execute the documents. Council Member Thomas made a motion to approve the 2 contracts with the Town Manager & Finance Officer designated as

authority to sign the documents for the Town. Council Member Montgomery made a second to the motion. The motion passed by unanimous vote.

17. Monthly golf course activity report – Michael Hutcheon said revenues were up during the month of January. Also up from January of last year due to good weather. Play is up about 700 more rounds of golf this January. Hutcheon said there is a lot going on at the Course. We have high school teams, Jamestown Middle School practicing, booking calendar now with leagues and fundraiser. He is expanding the data base. Soon moving into direct texting. Continue to work on fan base for Face Book. The Get Ready Golf Program will begin soon. Silver Sneakers is a program the Town Manager is reviewing the user agreement. It is a Medicare endorsed & funded program and tied into the YMCA. If adopted Silver Sneakers program allows a senior citizen to swipe a card and hit a ½ bucket of balls and Medicare will reimburse the Town. They are working on annual memberships. Smith said we are adding a brochure rack at the golf course. This display rack has 24 spots. It is available for local businesses to display brochures from their businesses to market their company. We will be mailing letters to all the local businesses soon.

Smith reported that Jay Gardner’s Department stays busy with maintenance at the Park. They installed a new roof on the bathroom at #4 hole on the golf course, painted and rewired the lights & heat on the same bathroom. The department continues to landscape areas around the cart paths and fence on E. Fork Rd. Crews have removed 15 – 20 trees. They installed a new roof on the pump house at hole #17, fertilized and seeded several holes. They mulched the playground area with special mulch that complies with ADA requirements.

Gallman stated for revenues compared this January to last January are up 150%. Expenditures are up about 1%. The year to date revenues is up about 5% and YTD expenditures up slightly over 1%.

18. Analysis of Financial Position of the Town of Jamestown – Judy Gallman presented the financial statement for the month of January 31, 2012 as follows:

- Cash Balances - \$7,476,000.00 of this amount funds are reserved for Randleman Reservoir, Powell Bill, General Capital Reserves and Water/Sewer Capital Reserves Fund
- Debt Balances - \$75,849.00 – This will be paid off in the next fiscal year.
- The total revenues & expenditures by fund reflect a good budget position to date

Gallman presented the detailed financial statement for January 2012. She reported the Town did receive the pass through grant to the Library from Guilford County. This \$55,000.00 grant has been written to the Library.

19. Public Comment Period

Charles Dowdy, 214 Misty Waters Lane, He is a member of Silver Sneakers Program and it is a good program. Dowdy said he enjoyed the presentation on trash cans, but he is against the cans. He does not like to see the cans left on the street. Wind will also blow these cans over. The trash bags are the most economical way to go. He suggested asking this question to the citizens about which they would prefer (cans vs. bags) by printing a message on the utility bills.

Jim Mooney, 210 Shadowlawn Dr. – With regards to crows getting into trash bags, he sprays around the bags with Fantastic Cleaning Spray.

## 20. Other business –

Council Member Nixon-Roney asked for an update report on 103 Pearce Drive. Koonce stated about two weeks ago we got our last certified letter returned inability to serve. We are now in our 60 day period where the owner can come in and respond to our notice. At the end of the 60 day period, the Planning Director will hold a Hearing and then may give the order to take down the structure.

Still under other business – Council Members Walls stated he met with GTCC in connection with the Revitalization Downtown Jamestown. A few of the ideas that surfaced from this meeting were:

- The Town could fly flags/banners of GTCC when they were holding special events
- Partner with GTCC on Turf Management Programs

Another idea:

- Establish a Welcome Center at the Jamestown Public Library. Eleanor Ratterman has agreed to work on this project.

Council discussed the welcome packet which the Town has given out in the past.

Still under other business –

Council Member Thomas said he spoke with JYL and they will either ask for a grant, ask to partner with advertising at the athletic fields or reduce field rental rates.

Council Member Thomas said there was a Library Board meeting last night. The Board discussed the Welcome Center project. There are no funds for this project, so it will be coming back to the Town to ask for funding.

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 12:05 am.