

Regular Meeting of the Town Council
October 20, 2009
Minutes & General Account

Regular meeting of the Town Council October 20, 2009, Council Chambers, Town Hall

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

Ragsdale High School Town Council Representative – Denzel Faison

Staff Present: Kathryn Billings, Matthew Johnson, Judy Gallman, Martha Wolfe, Jim Lanik, Town Attorney for Beth Koonce

Visitors Present: Jeffery J. Fuchs; Nathan J. Fuchs; Terry Worrell, Regional Superintendent of Guilford County Schools; Maurice Green, Superintendent of Guilford County Schools; Denise Richmond, Principal of Jamestown Middle School; Joyce Volz; Julius Monk, Guilford County Schools; Andrew LaRowe, Guilford County Schools; Charles Jones; Doris Porter; Vic Gilliland; Beth Seagraves of the Greensboro News & Record; Kim Fleming, Principal of Jamestown Elementary Schools; Carol Brooks of the Jamestown News; Linda Holden of Millis Road Elementary; Blair Holden

1. Call to Order – Mayor Volz called the meeting to order.
2. Invocation – Mayor Volz called for a moment of silence and to remember Grady Lain, Larry Lain's father that recently passed away.
3. Approval of minutes from September 15, 2009 meeting. Council Member Nixon-Roney made a motion to approve minutes from the September 15, 2009 meeting. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.
4. Public Hearing regarding annexation of the property located at 6020 High Point Road and Ordinance to extend corporate limits of the Town of Jamestown. Matthew Johnson stated the Town of Jamestown received a petition for annexation from the property owners for the property located at 6020 High Point Road. This property is receiving sanitary sewer service from the Town and they have voluntarily requested annexation from Jamestown.

This property has been subdivided into 3 lots. The Town has received signed petition from the two owners. The Town Clerk has investigated the petition and found it to be sufficient. The proper public notice has been given. Staff recommends Council adopt this annexation and ordinance to extend corporate limits to be effective immediately.

Mayor Volz asked if there was anyone that wished to speak for or against this annexation request.

There being none, Council Member Gray made a motion to move forward with the adoption of the annexation and Ordinance to extend Town limits of the property known as 6020 High Point Road.

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 Gray voted aye

Council Member Lain voted aye

The motion passed by unanimous vote.

5. Public Comment Period – Yvonne Thomas, 200 Stafford Oak Rd. Mrs. Thomas said she and her husband, Bob, have lived here for 21 years. She requests that Council finish what it started in the 1990's. That is to install the Colonial reproduction street lamps throughout the neighborhoods in Jamestown. She lives in Parkwood Subdivision that does not have these street lights neither does Woodbine nor Yorkeigh subdivisions.

Per Mrs. Thomas, the former Town Manager stated to her that these lights could not be installed in the remainder of neighborhoods due to three reasons:

- Do not give off enough light
- Do not deter crime
- People do not want them

She is not convinced of these reasons. Jamestown is not a high crime area and burglaries often occur during the day. She would like for the Council to consider this proposal and install street lights in the remaining neighborhoods in Town thus creating uniformity.

Mayor Volz asked the Town Manager to look into this matter and report back to the Council with a cost estimate.

6. Audit report fiscal year 2008/2009 – Dixon Hughes, PLLC – John Frank presented the Council with a financial summary comparing year 2009 & 2008.

Frank said the auditors found no deficiencies in internal controls and the Town remains financially strong. The General Fund available balance increased during 2009, some of this due to merger of the Golf Course Enterprise Fund into the General Fund.

The General Fund revenues added more property taxes. This is still the largest source of General Fund revenue. (Expansion of the tax base) The General Fund balance is up modestly and considering the state of the economy, this is fortunate.

The General Fund balance is at 48.92%. The Local Government Commission looks for a minimum of 8%. So, the Town has a healthy percentage rate.

The Water/Sewer Fund is up from last year. The percentage of current year taxes levied collected is 99.13%.

John Frank said the Town did receive the Certificate for Excellence in financial reporting for the second year in a row from the Government of Finance Officers Association. Good job by the Finance Officer and the Town Manager.

7. Discussion with Mo Green, Superintendent of Guilford County Schools & Terry Worrell, Regional Superintendent of Guilford County Schools. Mayor Volz introduced Mo Green, GCS Superintendent. Mr. Green has been in this position as Superintendent for 1 year. He gave a

progress report on the status of Guilford County Schools. He hopes to make this a yearly event to keep the Council informed on the schools' activities.

Currently there are 71,464 students enrolled in GCS. We are the 3rd largest school district in the State. We have a much diversified population. A total of 120 schools house these students. GCS is progressive in educating our young people, for example the Early Middle College. Guilford County serves the special needs children at Gateway Education Center. We will be able to expand our service for special needs children with the construction of Hanes Inman Special Education Center opening soon at the site of the new Jamestown Middle School.

Green launched a listen & learn tour his first year as Superintendent. Out of that, he prepared a strategic plan for the GCS and began implementation January 2009. The plan included 3 concepts:

- Academic Excellence
- Character Development
- Excellence in general

The Plan lays out clear goals and a time line for achievement of these goals by June 2012.

Due to such a large population of students, the school system was divided into 5 regions. 4 regions were geographic and 1 was an enrichment region. Mr. Green introduced Terry Worrell, Central Region Superintendent. She is Jamestown's contact. Dr. Worrell introduced several school personnel that are involved with the schools in Jamestown as follows:

- Linda Holden, Curriculum Facilitator – Millis Road Elementary
- Kim Fleming, Principal – Jamestown Elementary
- Dr. Denise Richmond, Principal, Jamestown Middle School. Dr. Richmond reported regarding the construction of the new Jamestown Middle School, they are anticipating moving into the new school on June 14, 2010. The school personnel will meet with the movers in January. The current construction is 45% complete. At this point, they are picking out furniture, carpet and colors.

Once the new Jamestown Middle School is opened, the old Middle School will be retrofitted to become a part of the Ragsdale High School.

Mayor Volz thanked Mr. Green and the GCS staff for attending. Mayor Volz introduced Denzell Faison, Ragsdale High School Town Council Representative. Mr. Green said that Denzell is also on the Superintendent Student Advisory Council. The Council may communicate with the Superintendent through Denzell Faison if they wish.

8. Nuisance Abatement Evaluation – Matt Johnson stated the Town received 2 formal complaints. He has investigated these complaints. Council may:
 1. impose a maximum of \$500.00 a day penalty,
 2. may require mitigation of nuisance within a specific period of time
 3. town can hire a contractor to complete the work and bill the owner,
 4. or a combination of any of these alternatives.

214 Oakdale Road – Oakdale Water Tank – Owner: Mr. Gus Andy

Johnson reported that this water tower has been the subject of several newspaper articles. The tower is in a declining state. The paint is peeling, rust is visible. There is not a security fence installed, making it easy for vandals and kids to access, etc.

There are 2 options; either remove the tank structure or repaint the tank.

Johnson stated he has talked with Mr. Andy by phone and written several letters. Andy stated they are looking at options. Johnson has given the maximum amount of 30 days. The intent of the ordinance is to remedy the nuisance.

Johnson recommends selecting a finite amount of time for completion of the work. (Be it repainting or removal) Council may choose which alternative they feel is in the best interest of the Town – removal vs. repainting.

Council Member Gray stated the water tower has become an eyesore. He would like to see the water tower removed. Council Member Nixon-Roney said removing the tower is a permanent solution to the problem. It is an attractive nuisance. Council Member Gray stated it is not an attractive line of sight as you enter Jamestown.

Council Member Nixon-Roney stated she observed from the correspondence with the owner that he appears to be lackadaisical in communicating with Johnson. Council Member Thomas agrees and said over a month past before the owner responded to the September 25, 2009 letter. This leads them to believe he is not really looking for a solution. Johnson said the owner is in the process of getting quotes on repainting. Council Member Gray said if the tower is repainted will have to deal with this again. Council Member Nixon-Roney added that fencing will need to be installed if the tower remains.

Council Member Nixon-Roney said if we have the authority to pick and the owner is not making a faster response time to the Planning Director's correspondence, then we should require them to remove it. She feels the owner has not been serious about his efforts for a solution to the problem. However, we need to give them a fairly liberal amount of time to complete this removal process as this is a complex job. Mayor Volz said it seems to be the general consensus of the Council to require the owner to remove the water tank.

Council Member Nixon-Roney made a motion that we order removal of the property (water tank) and receive correspondence back from the owner within 30 days with their time line to do so. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

Johnson presented the second complaint case received.

204 Newberry St., owned by William & Shannon Grant.

The formal complaint dealt with a commercial dumpster on site, debris and high grass. The dumpster has been on the property for 3 weeks. Johnson reported that since his first inspection, the grass has been mowed. Johnson checked yesterday and the dumpster has not been moved. Johnson visited again at 3:30 pm today; the dumpster was still not removed. There is a neighbor that is willing to help her. Johnson received word that the dumpster was removed late this afternoon.

Johnson stated the Council may:

1. Fine Ms. Grant up to \$500.00 per day as an incentive to remedy the nuisance
2. The town may hire a contractor to complete the work and bill Ms. Grant
3. Extend the time to complete the work
4. Or a combination of these alternatives

Johnson would like to get direction from the Council how to proceed. Johnson recommends if the requested work is not done by 11-3-09, then hire a contractor or the Town clean up the property and bill the owner. If this does not work, Council has the authority to back bill her for the penalty up to \$500.00 a day which would be \$7,000.00. If not paid, this becomes a lien on the property.

Council Member Nixon-Roney referred to the log of the phone conversation on 10/8/09 when the owner said the family is "under the weather". Johnson said the family has the flu, along with other numerous issues that prevented her from completing the task.

Council Member Thomas stated he rode by the property at 4:15 pm today. It looked like the exterior had been cleaned up but the garage was packed. Council Member Thomas said Johnson should inspect the property tomorrow and if the exterior is cleanup up, then the Council does not have to take any action.

Johnson is concerned this may happen again. He would like to outline what is expected then if the situation happens again, we will not have to go back through this process with the Council.

Council Member Gray went by at 5:30 pm he did not witness any trash or debris and the dumpster was removed. He feels like the owner is trying and the neighbors are helping. He asked Johnson to inspect the property tomorrow and give the Council his assessment. If the situation resurfaces Johnson has the formal complaint process documented.

Council Member Thomas made a motion that if the exterior of 204 Newberry St. starts to deteriorate to the point that it is now; we give the owner 2 weeks to remedy the situation. If the problem is not remedied then the Town would impose the \$500.00 a day fine. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote.

9. Set Public Hearing date for rezoning request from Single Family Residential (SFR) to Conditional Zoning Single Family Residential (CZ-SFR) Cluster Development Overlay for the property located at 300-399 Lee Street.

Council Member Thomas made a motion to hold a Public Hearing on November 17, 2009 at the Council meeting to consider the rezoning request from Single Family Residential (SFR) to Conditional Zoning Single Family Residential (CZ-SFR) Cluster Development Overlay. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

10. Resolution of Intent to close an existing street and abandon the right-a-way - Johnson said the Town received a request for a street right-a-way closing. The Resolution of Intent is the first step in that process. The Town received a petition for an existing street right-a-way that has not

been opened. It is off Jefferson Park Drive named Hermitage Drive. The notice of public hearing will run for 4 consecutive weeks in the newspaper and the site will be posted.

Council Member Nixon Roney made a motion to accept the Resolution of Intent to Close an Existing Street and Abandon the Right-A-Way. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

Council Member Nixon-Roney made a motion to set the Public Hearing date for the consideration of a street closing petition on November 17th, 2009 in the Council Chambers, Town Hall. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

11. Approval of the Guilford County Schools sewer agreement. Kathryn Billing said the Public Service Director has been working on this for several months. This agreement establishes the Town as the responsible party for maintenance and repair of a portion of the proposed 4" sewer force main in the State owned roads of Harvey Rd. and Oakdale Rd. that will serve the Jamestown Middle School and Hayes Inman Education Center. Staff recommends approval of this agreement. Council Member Gray made a motion to approve this agreement between the Guilford County Board of Education and the Town of Jamestown as presented. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

12. Request to waive Town services fee for special event – Kathryn Billings said the Town passed a Special Event Ordinance this year. The Jamestown Rotary Club requests the waiver of Town services fees for the Christmas Parade on December 6th, 2009. The applicant has completed the proper forms.

Council Member Nixon-Roney made a motion to waive the Town fees for the Christmas Parade. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

13. Request to waive the 60 day filing period for Special Event – Kathryn Billings said the Jamestown United Methodist Church puts on an annual Pumpkin Run on October 31, 2009. This is their 3rd year. Since the process is new, we ask the Council to waive the 60 day filing time line. Council Member Gray made a motion to waive the 60 day filing deadline for the JUMC Pumpkin Run. Council Member Thomas made a second to the motion. The motion passed by unanimous vote.

14. Appoint Planning Board member to serve the unexpired term of resigning member - Mayor Volz said at the last meeting we tabled this appointment until this meeting. The unexpired term of Peggy Corey goes to August 2011. Mayor Volz stated the Council may appoint one of the alternates already in place or appoint another person to fill this term.

Council Member Gray said we ask alternates to serve on the Board. These alternates are exposed to and have experience with the Planning Board process. His recommendation is to ask from within and move someone up to fill this term.

Council Member Nixon-Roney made a motion to appoint Eddie Oakley to serve as a member of the Planning Board to fill the unexpired term through August 2011. Council Member Gray made a second to the motion. The motion passed by unanimous vote.

Council Member Thomas said he talked to Lynn Montgomery and she is interested in serving as an alternate on the Planning Board. No other names were presented. Council Member Thomas made a motion to appoint Lynn Montgomery as an alternate to the Planning Board. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

15. Financial statement – Judy Gallman presented the financial statement for the month ending September 30, 2009.

Cash Balance – approximately \$6,500,000.00. Some of this is reserved for the Randleman Reservoir and Powell Bill Fund.

Debt balances as of 9/30/09 – total approximately \$732,000.00.

Revenue & Expenditures by Fund – the General Fund, Water/Sewer Fund and Randleman Reservoir are all in line.

The detailed financial statement reflects payments made on the audit report and Fox 8 advertising. A computer was purchased. Decorative street posts purchased. A leaf blower for the Park & Fox 8 advertising was purchased.

Water/Sewer Fund has some engineering fees for the gravity sewer line as well as a transfer to the Randleman Reservoir Fund.

16. Public comment – No one registered to speak

17. Other business – Mayor Volz said we need to pass a Resolution Recognizing Arbor Day 2009, which the Town celebrated. Council Member Gray made a motion to accept the Resolution Recognizing Arbor Day. Council Member Lain made a second to the motion. The motion passed by unanimous vote.

Under other business – Billings asked the Council to confirm with her their attendance to the Guilford County School Alliance breakfast.

Still under other business, Denzell Faison said Ragsdale is holding an alumni celebration next Friday October 30th, 2009. Justice Paul Newby will be attending as well as two Jamestown Council Members. This is the last football game of the season.

Mayor Volz stated if anyone has a comment for the Guilford County School System to please convey that to him or to Terry Worrell, Regional Superintendent.

Council Member Nixon-Roney stated parental involvement with school is important. Her personal experience with Millis Road parental involvement was high. Often, in the Middle School and High School parental involvement goes down. She suggested partnering with Pennybyrn or the Town Council to do some volunteering with our schools.

Council Member Thomas made a motion to adjourn. Council Member Nixon-Roney made a second to the motion. The motion passed by unanimous vote and the meeting ending at 8:30 pm.