

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
NOVEMBER 22, 2004
7:00 P.M.

Mayor Nancy R. May called the meeting to order and turned it over to Mayor Pro-Tem Bryan because of her voice. Mayor Pro-Tem gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioners Max G. Cotten, Burnice Griffin, Jr., Clinton E. Bryan, Jr., Gene T. Brooks and Chris Walker.

Other staff present: Manager David Hughes, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

AGENDA APPROVAL

Mayor Pro-Tem Bryan stated item number one under old business should be removed from the agenda and tabled until next agenda.

Motion made by Commissioner Cotten seconded by Commissioner Bryan to approve the agenda as presented with the removal of item number one under old business.

Vote Aye-5 Nay-0

CONSENT AGENDA

Motion made by Commissioner Walker seconded by Commissioner Brooks to approve the consent agenda.

- Minutes of the November 8, 2004 Board of Commissioners meeting.
Vote Aye-5 Nay-0
- Set a public hearing date for a revision to the Major Transportation Corridor Ordinance. It has been requested that the rezoning restriction contained in paragraph 14.4 be eliminated. This change will allow rezoning to occur in the Major Transportation Corridor without the submittal of a site plan. The public hearing shall be held January 10, 2005.

Vote Aye-5 Nay-0

CITIZENS MATTERS

NONE

PUBLIC HEARING

Motion made by Commissioner Brooks seconded by Commissioner Walker to go into public hearing for a rezoning request from Thomas Cochran to rezone a 1.36 acre parcel located at 959 East Street. The request seeks a change from C-2CU to .67 acres fronting on East Street to CU and .67 acres fronting on Thompson Street to O&I.
Vote Aye-5 Nay-0

Planner Monroe stated this is the old Scott Brown/DJ Entertainment property and it has a CU attached to the property. The new owner wants to divide the property.

PUBLIC COMMENTS

Maurice Sanders, 981 Thompson Street, request that the Board turn down this request as it will depreciate the value of his property.

Susan Hilliard, Thompson Street, wanted to know how it would affect her property. What can be put in O & I?

Planner Monroe stated it should not have a downward affect on the property.

Motion made by Commissioner Walker seconded by Commissioner Brooks to go out of public hearing.

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Griffin to send this request to the Planning Board for recommendation.

Vote Aye-5 Nay-0

NEW BUSINESS

NAMING OF BRIDGE

Consider a request by Reverend Carson Olin Wiggins, Sr. for the approval of a resolution for naming the bridge on Highway 64 Bypass over Highway 87. It is requested that the memorial sign read "Lin" Wiggins, P.E. Memorial Bridge.

Reverend Wiggins was present and went over information about his son.

A COPY OF INFORMATION PROVIDED BY REV. WIGGINS IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 463-476

Motion made by Commissioner Brooks seconded by Commissioner Walker to approve a resolution requesting that the bridge on Highway 64 Bypass over Highway 87 be named "Lin" Wiggins, P.E., Memorial Bridge.

Vote Aye-5 Nay-0

A RESOLUTION IN SUPPORT OF NAMING THE UNITED STATES HIGHWAY 64 BYPASS BRIDGE AT NORTH CAROLINA HIGHWAY 87 THE "LIN" WIGGINS, P.E. MEMORIAL BRIDGE, IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 477

**REQUEST FROM FRIENDS OF THE TRIANGLE
SENIORS AND FOOD ASSISTANCE**

Consider a request for a donation/funding by Mark Prokop, Executive Director, Friends of the Triangle Seniors and Food Assistance.

Mr. Prokop was present to introduce himself and his organization and to ask that the Board consider if they would like to make a donation to the organization. The organization currently serves Orange/Durham and Wake counties. They provide emergency food assistance to the front door.

Commissioner Cotten stated that local agencies will look for funding if you start this.

COPY OF HANDOUT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 478-482

CCCC – REUSE WATER LINE

Consider a Consulting Service Agreement for Grant Writing for the North Carolina Clean Water Management Trust Fund – 2005 Cycle. The grant would be used to extend a reuse waterline to Central Carolina Community College. The estimated daily flow to CCCC would be approximately 65,000 gallons.

Mary Hackenburg was present and requested money from the Town to fund the grant writing.

Commissioner Cotten stated he called the VP for Administrative Services with CCCC this morning and he did not have knowledge of this matter.

Karen Allen, CCCC President, spoke with Mr. Roberson and he was supportive of the concept. Don't foresee a problem.

Commissioner Cotten stated he had a problem with number six in the agreement which reads: "**Consultant Proprietary Rights.** Client acknowledges and agrees that Consultant owns all right, title and interest in and to the ideas, processes, and intellectual property rights created, invented, or used in performing the Consulting

Services, including without limitation, all trademarks, copyrights, patents, trade secrets, and common law rights. Client shall keep all such property of Consultant in confidence and protect against its unauthorized disclosure to third parties. Client shall not in any way use any such property of Consultant.”

Mr. House stated that is standard policy for his company.

Commissioner Walker stated he liked the concept and would make a motion to approve the agreement for grant writing services in the amount of \$3335.00 to Aqua Neoterics deleting item number 6 “Consultant Proprietary Rights”.

Commissioner Brooks asked about Robeson Creek. They stated it was 300 feet from the creek.

Vote Aye-5 Nay-0

A COPY OF THE AGREEMENT FOR GRANT WRITING IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 483-488

Commissioner Brooks stated every time we get involved in something like this we get burned.

SIGNAGE ON RECTORY STREET

Consider removing one way street sign on Rectory Street between W. Salisbury Street and Hanks Street.

Commissioner Cotten asked if the Episcopal Church had been involved in this matter.

Manager Hughes stated he had not talked with anyone with the church but he would get in contact with someone.

Attorney Messick stated a traffic ordinance will not require a public hearing.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to table this matter until the first meeting in December.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Commissioner Brooks wanted to know if the Town was going to take any action on the request to post signs stating we have a noise ordinance. Would like for staff to look at the handicapped parking in front of CCB on Hillsboro Street (the tree is in the way) and report back the findings. Oliver Marsh has approached him again about relief from sewer fees. Mr. Marsh stated he was not paid for timber cut on his land (property he owned on East Cornwallis) and he has paid twice for sewer on Hillsboro

Street. He stated the Cornwallis situation happened when Cecil Williams was on the Board.

Commissioner Cotten stated Mr. Marsh has talked with him about this also and he can not find anything in the records, but he will look further.

Commissioner Walker stated there is a problem with large trucks parking where the trees are downtown which a lot of the truck sticking out.

Manager Hughes stated maybe we can mark those spaces "compact" vehicles.

Manager Hughes to check on all Commissioner concerns.

Manager Hughes reminded everyone of the Christmas Parade on Sunday, December 5 at 3:00 p.m.

ADJOURNMENT

Motion made by Commissioner Cotten seconded by Commissioner Walker to adjourn.

Vote Aye-5 Nay-0

Nancy R. May, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk