

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
APRIL 9, 2001
7:00 P. M.

Mayor Charles R. Devinney called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Charles R. Devinney, Commissioners Ethel F. Burns, Clinton E. Bryan, Jr., Gene T. Brooks, Max G. Cotten and Burnice Griffin, Jr.

Other staff: Manager Hugh Montgomery, Clerk Alice F. Lloyd and Attorney Paul S. Messick, Jr.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Burns to approve the minutes of the March 26, 2001 meeting. Vote Aye-5 Nay-0

CITIZENS MATTERS

NONE

LETTER OF APPRECIATION

Motion made by Commissioner Burns seconded by Commissioner Bryan to send a letter of appreciation to Ms. Robin Kohanowich for her efforts heading the Community Clean up on April 7, 2001. Vote Aye-5 Nay-0

PUBLIC HEARINGS ESTABLISHED

AGGRESSIVE PANHANDLING

Motion made by Commissioner Burns seconded by Commissioner Cotten to establish a public hearing date of April 23, 2001 at 7:00 p.m. regarding an Ordinance to Regulate Aggressive Panhandling. Vote Aye-5 Nay-0

ZONING ORDINANCE AMENDMENT – GROUP CARE HOME
SECTION 5.3.3.26.b “Group Care Home – Property Separation”

Motion made by Commissioner Burns seconded by Commissioner Bryan to establish a public hearing for April 23, 2001 at 7:00 p.m. for a request to amend the Zoning Ordinance of the Town of Pittsboro, Section 5.3.3.26.b, “ Group Care Home – Property Separation”.
Vote Aye-5 Nay-0

AMEND ZONING ORDINANCE – GROUP CARE HOMES

Motion made by Commissioner Burns seconded by Commissioner Bryan to establish April 23, 2001 as the date for a public hearing on a request to amend Section 5.4. of the Town of Pittsboro Zoning Ordinance to allow Group Care Homes in the RA-2 Zoning District.
Vote Aye-5 Nay-0

REZONING REQUEST – MR. & MRS. ANTHONY BRIGHT

Manager Montgomery reported the planning board voted to approve the request from Mr. and Mrs. Anthony Bright to rezone two lots in Magnolia Trace Subdivision from R-10 to O & I. The two lots are: lot 2 presently has a SUP for a day care center for a special population of Adults and has been used for an office for many years; lot 6 has a two story brick structure currently being used as a residence.

Motion made by Commissioner Cotten seconded by Commissioner Burns to accept the Planning Board’s recommendation and approve the request.
Vote Aye-5 Nay-0

REZONING REQUESTS
MR. & MRS. ARCHIE GUNTER
MR. JOHN & TOM KROMBACH
MR. WADE BARBER, JR.

Mayor Devinney stated we had received a request to have these items tabled until the May agenda.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to table the rezoning requests from Mr. & Mrs. Archie Gunter, Mr. John & Tom Krombach and Mr. Wade Barber, Jr. until the May meeting.
Vote Aye-5 Nay-0

A COPY OF THE LETTER REQUESTING THAT THIS BE TABLED IS RECORDED IN THE BOOK OF RESOLUTIONS, NUMBER ONE, PAGES

REQUEST FROM SOLID WASTE CAN

Manager Montgomery reported he has received a request from Mr. Ed Rogers, Owner, Cane Creek Video for the placement of a solid waste can, similar to those available on Hillsboro Street, to be placed on East Street to serve the businesses located in this area.

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve the request from Mr. Ed Rogers.

Vote Aye-5 Nay-0

SOLID WASTE CONTRACT

Manager Montgomery reported that we have received a proposal from Waste Management to extend the 1998 Agreement for the Collection of Solid Waste Collection for the Town of Pittsboro.

There was discussion about the proposal from Waste Management and a Committee to study this was established. The committee will consist of Commissioner Brooks, Commissioner Burns, Attorney Messick and Mayor Devinney.

The board would like for other towns to be contacted to see what they pay.

CONTRACT FOR ENGINEERING SERVICES

Manager Montgomery stated we had received a contract for Engineering Services from HydroStructures for the Preparation of a Project Scoping Document for Sidewalk Design associated with both of our Transportation Enhancement Projects.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to approve the proposal to enter into an agreement for engineering services with HydroStructures for the development of a project Scoping document to be submitted to the NC DOT in the amount of \$3,990.00 and to add issues associated with the stop light at JA Farrell/Toomer Loop and East Street to see if they can be included for the same amount.

Vote Aye-5 Nay-0

WETLAND RESTORATION

Manager Montgomery advised the board that we received notice from the Wetlands Restoration Program informing the Town that we were not funded to further study the potential to restore Robeson Creek in the area of Town Lake.

Motion was made by Commissioner Brooks seconded by Commissioner Bryan to instruct the Town Manager to appeal the decision and to send Representative Joe Hackney a letter.

Vote Aye-5 Nay-0

UNPAID 2000 PROPERTY TAXES

Motion made by Commissioner Burns seconded by Commissioner Bryan to authorize the Tax Collector to advertise 2000 unpaid real estate taxes.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Motion made by Commissioner Cotten to instruct Manager Montgomery to get some dates and location on Saturday for a planning retreat.

Commissioner Cotten withdrew his motion.

Motion was made by Commissioner Brooks seconded by Commissioner Burns that when any board member requests a letter be written, that each board member receive a copy of the letter in the next agenda packet. Vote Aye-5 Nay-0

Commissioner Brooks stated he had received a request from citizens for the following:

- Look into a place for picnic tables and a trash can for downtown, since there are several restaurants' downtown.
- A resident in one of the development's behind the Episcopal Church has requested to consider making the street at the church two-way at certain times.

There was discussion of a lot of foot traffic coming across the creek.

Commissioner Brooks stated he feels that we should limit each speaker to three (3) minutes and only is allowed to speak twice during the public hearing. He does not want us to have a debate during the public hearing process.

Commissioner Brooks stated the board needs to think about the moratorium.

Motion was made by Commissioner Brooks seconded by Commissioner Bryan to establish a public hearing for April 23, 2001 at 7:00 p.m. to extend the moratorium due to transportation and sewer issues for one more year when it expires on May 21, 2001 and limit it to land within the town limits and to exempt ETJ land if they are not requesting utilities services from the Town of Pittsboro.

Vote Aye-5 Nay-0

Mayor Devinney stated we should revoke the bond money at May Farms because of the huge hole in the caused by the failure of compaction under the street.

Mayor Devinney mentioned the Police Retirement bill that is before the legislature.

Commissioner Brooks stated Dallas Hurley has an approved plat but he is waiting because of the 10 70 low density to be approved.

Billy Hughes was present and requested that the Planning Board be allowed to hold a special meeting at a private place to discuss so issues facing the board.

Attorney Messick stated they could hold the meeting at a private place but it would be a public meeting and it would have to be posted and the newspaper notified.

Manager Montgomery stated we did not qualify for refunding – commercial paper but Local Government Commission is currently reviewing other options.

Manager Montgomery stated we have received a request from the Krombach's regarding a grinder station 15-501/NC 87 South.

The Board advised Manager Montgomery to get a proposal to study that intersection and bring it back to the April 23, 2001.

Mayor Devinney stated we need to budget the money to repair the sidewalk on E. Salisbury Street.

Commissioner Brooks stated that doing the budget process we should consider all the old lines that we have and check on the latest technology available to use to help with this.

We need to have another person on board in the office to deal with zoning compliance and small items.

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into closed session pursuant to GS 143-318.11(4) and 143-318.11.(a)(3).

Vote Aye-5 Nay-0

Motion made by Commissioner Bryan seconded by Commissioner Burns to go out of closed session.

Vote Aye-5 Nay-0

Town Manager was instructed to contact Mr. Rosser of the NC DOT and find out about the pedestrian heads that were installed on Hillsboro and Salisbury Streets, and for an update on the stop light to be located on Hwy 64 and JA Farrell Street/Toomer Loop.

Motion made by Commissioner Burns seconded by Commissioner Brooks to adjourn.
Vote Aye-5 Nay-0

Mayor

ATTEST:

Clerk