

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
JULY 23, 2001
7:00 P.M.

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

ATTENDANCE

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

Other staff present: Manager Hugh Montgomery and Clerk Alice F. Lloyd.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Burns to approve the minutes of the July 9, 2001 meeting. Vote Aye-5 Nay-0

CITIZENS MATTERS

PLAYGROUND REPORT

Jenny Megginson was present to update the board of the playground project.

Commissioner Burns stated she felt it was a great community project.

Commissioner Brooks asked if the monies paid by developers for recreation could be pledged for this project.

Manager Montgomery stated there is approximately \$40,000 of funds available.

Motion made by Commissioner Brooks seconded by Commissioner Burns to pledge \$1,000 to the project. Vote Aye-5 Nay-0

HAW RIVER ASSEMBLY

Ms. Katherine Deininger was present and reported that things are still going well with the Roberson Creek Project.

PUBLIC HEARINGS

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into a public hearing. Vote Aye-5 Nay-0

APPLICATION FOR A SPECIAL USE PERMIT – MR. TOM ROBERTS

Manager Montgomery stated that Mr. Tom Roberts had the zoning amended in October, 1999 to allow for medical facilities in the M-1 district with a special use permit. Mr. Roberts is requesting a SUP to allow a Dialysis Center in the M-1 zoning district.

PUBLIC COMMENTS:

NONE

TRAFFIC ORDINANCES

Manager Montgomery stated the public hearing is to consider the following:

- a. Creation of three-way stops at the intersection of McClenahan Street and Pittsboro Elementary School Rd.
- b. Establish twenty-five mile per hour speed zone on Pittsboro Elementary School Road from US Hwy 15/501 to NC 87/902
- c. Establish one-way streets on S. Farrell Street and S. McClenahan Street from US Hwy 64 to Pittsboro Elementary School Road.

PUBLIC COMMENTS:

Larry Mabe – 173 Cardinal Court – Mr. Mabe stated that Chatham County Schools would like to support the return to one-way streets of the two streets that are adjacent to the Board of Education Building, Farrell and McClenahan, that lead into Pittsboro Elementary School Road both ways. The Board of Education believes that the present dual lane streets are not sufficiently wide enough to accommodate a school bus and also oncoming traffic. Therefore, this creates a safety concern for students as well as anyone in vehicles trying to pass buses at the same time on either of these streets. Many people are walking on these streets for health reasons and this would help with the safety of walkers.

The Board of Education additionally feels that it would be useful to have a stop sign on Pittsboro Elementary School Road and the intersection of McClenahan Street.

He was not aware of the 25mph speed limit change, but he would support that as well.

Motion made by Commissioner Burns seconded by Commissioner Bryan to go out of the public hearings. Vote Aye-5 Nay-0

SUP – MR. TOM ROBERTS

Motion made by Commissioner Brooks seconded by Commissioner Burns to refer request to the Planning Board for their recommendation at their next meeting.
Vote Aye-5 Nay-0

TRAFFIC CONTROL ORDINANCES

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve an Ordinance to Establish a Three Way Stop at the Intersection of McClenahan Street and Pittsboro Elementary School Road. Vote Aye-5 Nay-0

ORDINANCE TO ESTABLISH A THREE WAY STOP AT THE INTERSECTION OF MCCLENAHAN STREET AND PITTSBORO ELEMENTARY SCHOOL ROAD IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 121

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve an Ordinance to establish twenty-five mile per hour speed zone on Pittsboro Elementary School Road from US 15-501 and NC 87/902. Vote Aye-5 Nay-0

ORDINANCE TO ESTABLISH THE POSTED SPEED ON PITTSBORO ELEMENTARY SCHOOL ROAD FROM US HWY 15/501 TO NC 87/902 AT TWENTY FIVE MILES PER HOUR IS RECORDED IN THE BOOK ORDINANCES NUMBER ONE, PAGE 120

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve an Ordinance to Establish One Way Vehicular Traffic on South McClenahan Street and South Farrell Street. Vote Aye-5 Nay-0

ORDINANCE TO ESTABLISH ONE WAY VEHICULAR TRAFFIC ON SOUTH MCCLENAHAN STREET AND SOUTH FARRELL STREET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 122

Motion made by Commissioner Brooks seconded by Commissioner Griffin to prepare a Resolution to NCDOT requesting that they establish a three-way intersection at Pittsboro Elementary School Road, SR 1928 and South Farrell Street.

Commissioner Cotten stated the Board had been approached about closing the street and we advised that we could not authorize the closing of the street since it is a NCDOT street.

Commissioner Brooks asked about adding no parking to the request.

Commissioner Burns stated the top of the hill at Farrell and Pittsboro School Road is the bigger problem area, she feels.

Vote Aye-5 Nay-0

SITE PLAN – REUSE FACILITY TOWNSEND

Manager Montgomery stated the Planning Board has reviewed the request at their meeting and recommended approval.

Motion made by Commissioner Brooks seconded by Commissioner Griffin to approve the site plan for a Wastewater Reuse Facility for Townsend, Inc.

Vote Aye-5 Nay-0

A COPY OF THE SITE PLAN CHECKLIST IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 163

WASTE MANAGERMENT AGREEMENT

Manager Montgomery stated he had planned to have the agreement ready tonight but do not, so he would like to bring it back to the board.

Motion made by Commissioner Burns seconded by Commissioner Brooks to table this until the next meeting.

Vote Aye-5 Nay-0

REZONING REQUEST MR. JOHN BLAIR

Manager Montgomery stated Mr. Blair has withdrew his request to rezone approximately 5.0 acres currently zoned O & I to C-2 CU. The Planning Board has recommended that the Town Board accept the request to withdraw the application.

Motion made by Commissioner Bryan seconded by Commissioner Burns to accept the rezoning request withdrawal from Mr. John Blair.

Vote Aye-5 Nay-0

A COPY OF THE LETTER REQUESTING THE WITHDRAWAL IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 164

REVIEW OF REQUEST FROM CHATHAM FOREST
TO REVISE APPROVED PRELIMINARY PLAT FOR
PHASE 3, 5, 6, 7 & 9 TO CONNECT SPRINGDALE DR
AND FOX CHAPEL DRIVE

Manager Montgomery stated at the June 25, 2001 meeting, during Commissioner Concerns there was discussion of a previously denied request by Mr. Randy Voller, Developer of Chatham Forest, to provide for a connection between Springdale Lane and Chatham Forest. Commissioner Cotten first broached the topic and Mayor Pro Tem Burns. Commissioner Cotten presented discussion on the following: of the requirements of the Ordinances of the Town; his review of the absences of any other potential connections between Hillsboro Street and the east side of the town and the potential need for Police, Fire, Emergency Medical Services, Public Works and Utility Companies to access the eastern part of our Town should Hillsboro Street be closed. Mayor Pro Tem Burns made a motion to request the Planning Board consider the connection in the context of the installation of traffic control devices that could be installed to limit traffic to residential only.

Following discussion with the developer the Planning Board approved the recommendation to install a stop signs as traffic calming devices at the following intersections:

1. Springdale and Belmont – 4 way stop
2. Fox Chapel Lane and Chatham Forest Drive – 3 way stop
3. Old Mill Road and Belmont – 4 way stop
4. Old Mill Road and Fox Chapel Lane – 3 way stop
5. Old Mill Road and Chatham Forest Drive – 3 way stop

Commissioner Brooks stated he has some concerns, some of the things the Board has requested to be done has not been done, such as a recommendation from the Safe Roads Committee, a recommendation from the Chief of Police and the use of the traffic model. What about the situation used to connect May Farms and Magnolia Trace. He is opposed to creating a thoroughfare through there.

Mayor Devinney stated he had met with Mr. Voller and that they will not be able to meet their obligations regarding the water tank with the Town in two years. They have financial constraints. They wanted to know about using Springdale for the construction entrance and he told them no.

Commissioner Brooks stated he has concerns for residents in the subdivision.

Commissioner Burns stated he has some of the same concerns but our ordinance said they should be connected.

Motion made by Commissioner Burns seconded by Commissioner Cotten to approve the calming devices recommended by the Planning Board and not to open Springdale and Belmont, #1. Vote Aye-5 Nay-0

ECONOMIC DEVELOPMENT

Manager Montgomery had the request from Economic Development on the agenda for action tonight.

Commissioner Bryan asked what we get from Economic Development.

Mayor Devinney stated that some of the things they do are not public yet because of the confidential nature of things.

Motion made by Commissioner Cotten to pay Economic Development \$2,500 out of fund balance. The motion died due to lack of a second.

Motion made by Commissioner Burns seconded by Commissioner Cotten to pay Economic Development \$2000 for FY 00-01 out of fund balance.

Vote Aye-4 Bryan/Burns/Griffin/Cotten
 Nay-1 Brooks

Motion made by Commissioner Burns seconded by Commissioner Cotten to appoint Commissioner Bryan as the Town's representative to the EDC.

Vote Aye-5 Nay-0

PUBLIC/PRIVATE PARTNERSHIP TO DEVELOP ADDITIONAL PARKING SPACES

Manager Montgomery stated we had received a request from Mr. David Valentine for a public/private partnership associated with a parking lot adjacent to the Community Building.

Parking requirements for the new restaurant can be accomplished by areas adjacent to the building and to the rear of the building. There is an existing easement for the yellow house from their parking lot in the rear of the building to Thompson Street.

The vacant property adjacent to the Community Building has a split zoning designation of O & I and C-1 and is less than one acre. The O & I and the C-1 districts do not have to adhere to the requirements of Note #10 of the table of Yard, Area and Height Requirements, which restrict covered area to 40%. This said Mr. Valentine could conceivably meet his parking requirements as a function of the size building he is contemplating building, by paving the majority of the lot.

Mr. Valentine has suggested a public private partnership to develop a joint parking facility partially on property owned by the Town (the Community Building).

The Planning Board considered this request and recommended that the Town Board pursue the partnership with Mr. Valentine.

Commissioner Cotten asked where the runoff would go.

Commissioner Burns wanted to know if recreation monies could be used for this.

Manager Montgomery stated it could be.

It was the consensus of the Board to bring further information (about drainage) and a budget back to the Board.

Commissioner Brooks said they we need to check with the Town Attorney to see if this would infringe on the agreement that was made when the property was donated since this is a joint venture with a business.

MORATORIUM

Mayor Devinney stated he requested that this be placed on the agenda because he received a letter from Mr. Jeff Scott asking if the Manager's interpretation was correct of the moratorium.

Mr. Scott has a large lot on 902 and he wants to place a duplex on it.

Commissioner Cotten stated the Board would have to have a public hearing and the revision would apply to everybody.

Commissioner Brooks to make a change for one would affect the moratorium.

The board agreed that the Manager's interpretation was correct.

Motion made by Commissioner Brooks seconded by Commissioner Burns to have Attorney Messick reply to Mr. Scott what is appropriate concerning the moratorium.

Vote Aye-5 Nay-0

COMMISSIONER CONCERNS

Manager Montgomery gave an update on Town Lake – he has been out there with the wetland restoration group regarding safety.

Commissioner Cotten stated he was concerned about mosquitoes.

Commissioner Brooks suggested contacting Mr. Ralph Duckson.

Manager Montgomery stated he had.

Commissioner Brooks made a motion to fence off and make as safe and possible seconded by Commissioner Burns.

Vote Aye-5 Nay-0

PROSTATE CANCER AWARENESS WEEK

Motion made by Commissioner Burns seconded by Commissioner Brooks to proclaim the Month of September 2001 as Prostate Cancer Awareness Month in Pittsboro.

Vote Aye-5 Nay-0

A COPY OF THE PROCLAMATION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE PAGE 165

Mayor Devinney stated the State has passed the helmet law effective October 1, 2001.

We will have to adopt an Ordinance in order for it to be effective for Town maintained streets.

Motion made by Commissioner Bryan seconded by Commissioner Brooks to schedule a joint meeting with the Planning Board for August 6, 2001 at 7:30 p.m.

Vote Aye-5 Nay-0

Motion made by Commissioner Burns seconded by Commissioner Bryan to adjourn.

Vote Aye-5 Nay-0

Mayor

ATTEST:

Clerk