

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
MARCH 12, 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 Clinton E. Bryan, Jr., Gene T. Brooks, Ethel F. Burns, Max G. Cotten and Burnice Griffin, Jr.

Other staff present: 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 February 26, 2001 meeting.

Vote Aye-5 Nay-0

CITIZENS MATTERS

Ms. Julia Kennedy was present to express her dissatisfaction with the cable company for installation and billing.

The board requested that Manager Montgomery give Ms. Kennedy the phone number for Virginia Yott and Bob Sepe.

Tim Wood – resident of Southridge Subdivision – presented a petition, which read:

To Whom It May Concern:

We the residents of SouthRidge respectfully request a sign to be posted in the development for children at play. We have many families with small children. For their safety we feel a caution sign would help warn drivers to slow down and be more alert.

Our streets are maintained by our taxes and we do not feel this would be an unreasonable request. This property is located on Evergreen Drive and Baron Court. It is located in Pittsboro's city limits. We appreciate your attention in this matter.

Sincerely,
SouthRidge residents

A COPY OF THE PETITION IS RECORDED IN THE BOOK OF RESOLUTIONS
NUMBER ONE, PAGE

Commissioner Brooks stated in the past we had some children at play signs located on various town streets but our insurance company spoke against it because it gave residents false security that streets were safe places to play.

There was discussion of pedestrian walking sign and of installing a 15-mph speed limit sign on Evergreen Drive.

The board advised they would check into options for solving the problem.

REGULAR AGENDA

Thomas "Snuffy" Smith was before the board requesting the board relocate water services to two (2) houses he owns on old Goldston Road. The meters are located in the back of the houses.

The addresses of the property are 96 and 130 Goldston Road.

Commissioner Burns made a motion to look into this and if moving the two (2) meters from the back of the property is not complicated that they be moved to within the right-of-way. Seconded by Commissioner Bryan.

Commissioner Cotten asked what if there has to be a road bore, who will pay for the bore?

Commissioner Burns stated that her motion is to do it if it is not complicated or expensive.

Vote Aye-5 Nay-0

SITE PLAN EMJ AMERICA

Mark Ashness was present to speak for EMJ America.

Manager Montgomery stated he would not sign the zoning compliance permit until the fees are paid.

There was discussion about the weight limit on the road. Mr. Ashness stated the road would be an 18-ft. wide paved road, they based it on a 50-ft. long vehicle to move through the site. This is a private road. It will be served by a 2" water line and a fire hydrant at the cul-de-sac.

Elizabeth Anderson asked if some of the access and capital recovery fees would be returned.

Manager Montgomery stated he wanted EMJ, America to be treated like everyone else. If some of the fees are refunded now, if they need to connect on the system at a later date they will have to pay the fees that are applicable at that time.

The fees need to be paid so the project can be moved forward, once it becomes permitted the capital recovery and access fees (sewer) can be refunded and if they want to hook on in the future they will have to pay at the current rate then.

Motion made by Commissioner Brooks seconded by Commissioner Burns to approve the site plan for EMJ, America with the conditions listed above.

Vote Aye-5 Nay-0

A COPY OF THE SITE PLAN IS LOCATED IN THE TOWN MANAGER'S OFFICE.

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

MORATORIUM

Manager Montgomery stated the Planning Board has recommended extending the Moratorium for an additional thirty (30) days, until May 21, 2001, so that the narrative portion of the Land Use Plan will be completed.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve the additional thirty day (30) moratorium.

Commissioner Cotten stated the reason he is for the thirty (30) day extension is because the Land Use Plan was a part of the moratorium, if it goes beyond 30 days, he feels another procedure should be used.

Attorney Messick stated a public hearing would need to be held.

Commissioner Cotten withdrew his motion and Commissioner Brooks his second.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to establish a public hearing on the extension of the moratorium for March 26, 2001 at 7:00 p.m.

Vote Aye-5 Nay-0

TWC FRANCHISE AGREEMENT AND RATE ORDER

Commissioner Burns stated we would have to address each individual problem as they come up.

Motion made by Commissioner Burns seconded by Commissioner Cotten to approve the TWC Franchise Agreement and Rate Order.

Vote Aye-5 Nay-0

A COPY OF THE TWC FRANCHISE AGREEMENT AND RATE ORDER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

MUNICIPAL COUNCIL RATING

Manager Montgomery stated we have received our new Municipal Council Report and Rating, our rating is now 75, which is an investment grade rating. They think it would be beneficial for Pittsboro to consider refunding the outstanding bonds. In current market conditions, the overall interest rate could be lowered and the maturities shortened, which would allow for more rapid payment of principal and reduced interest payments.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to instruct Town Manager to make inquiry to the Local Government Commission on the status of our refunding of outstanding bonds. Vote Aye-5 Nay-0

NC DOT – ENGINEERING SERVICE

Manager Montgomery stated from the twelve requests that were mailed we received five proposal for consideration. The firms submitting proposals are: EDS, Engineering Services, Garner ; Dixon Gibson, MS Consultants, Inc., Sanford; CE Group & Absolute Land Surveying, Pittsboro; HydroStructures, Inc., Moncure and Anderson & Associates, Greensboro. Three firms were interviewed for the provision of professional services, CE Group, HydroStructures and Anderson & Associates.

Anderson & Associates – A professional design services group with offices in Tennessee, Virginia and North Carolina. The interview was attended by Mr. James Billups, PE – Branch Manager; Mr. Roger Weadon, PE – Project Manager and Mr. Jason Herman – Project Engineer. The Greensboro office of Anderson & Associates houses some twenty people and would provide design, engineering and surveying with staff located in Greensboro.

CE Group and Absolute Land Surveying and Mapping – The proposal from these firms involves Mr. Mark Ashness, PE,; Mr. Joe Faulker, Registered landscape Architect and Mr. Charles O. Elision a Register Land Surveyor and support for both entities. CE and Absolute have partnered on numerous projects requiring the coordination of Surveying and Civil Engineering in Chatham County and in the town.

HydroStructures, PA and B & F Consulting – The Town has utilized the services of HydroStructures on water, wastewater, and plan review and construction inspection. The Project Team includes professional engineers from several disciplines. B & F consulting, Mr. Russell Briggs, P.E. will provide the storm water drainage design, sidewalk layout and specifications. The surveying firm that will be part of this Team includes former employees of NCDOT serving in the capacity of District Engineer and as a member of the Location and Surveys Unit.

Each of the firms selected for interviews provided the information requested in the RFP.

The focus of the interview dealt with the existing relationship between the firm and NCDOT. The importance of working closely with NCDOT and more specifically with Mr. Jeff Picklesimer cannot be understated. All design reviews and final inspections must meet the approval of NCDOT prior to the Town being reimbursed for expenditures related to the Enhancement Grant.

The Enhancement Agreement contains several “escape” clauses that afford NCDOT or the Town to discontinue the project. The Town has received permission to do preliminary engineering and design work from NCDOT. This initial phase will be the most critical “thinking time” where our proposal is put before NCDOT. Each of the firms interviewed was asked specifically to address this issue.

Manager Montgomery stated he would recommend HydroStructures for the Engineering Service for the design of sidewalks, curb and gutter associated with the Enhancement Agreement between the Town of Pittsboro and NCDOT.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to approve HydroStructures as the Engineer and instruct the Town Manager to negotiate the terms and conditions associated with the provision of professional services.

Commissioner Bryan asked if the town’s portion was coming from Powell bill funds.

Manager Montgomery stated it was. Commissioner Bryan asked if he was sure it could come out of Powell bill. Manager Montgomery stated he was sure.

Vote Aye-5 Nay-0

STREET LIGHT

Manager Montgomery stated we have received a request for an additional street light on Springdale Drive.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the request to add an additional street light on Springdale Drive.

HELMET USE ORDINANCE

Commissioner Cotten requested the board consider the Resolution for helmet use.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve a Resolution Providing for Development and Implementation of Educational Program to Encourage Helmet Use. Vote Aye-5 Nay-0

SHOP HVAC

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the request to spend budgeted funds up to \$3,500 for the installation of HVAC at the maintenance shop. Vote Aye-5 Nay-0

TRAFFIC CONTROL

Manager Montgomery stated he had received a request from Mr. Ben Harris requesting a four way stop sign at the intersection of S. Masonic and Chatham Street.

Motion made by Commissioner Brooks seconded by Commissioner Griffin to approve the four way stop sign at the intersection of South Masonic and Chatham Street.
Vote Aye-5 Nay-0

Manager Montgomery stated he had received a request from tenants our Magnolia House to define parking on the East side of East Salisbury Street, between East and Thompson Street.

Commissioner Brooks stated he has no problem except Mr. Atwater has a fence there. He feels we should look at this closer before making a decision.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to table this issue until the next meeting and have the Manager and Police Chief look at the options.
Vote Aye-5 Nay-0

PLANNING AND ZONING MATTERS

REVISION OF PRELIMINARY PLAT
CHATHAM FOREST PHASE 3, 5, 6, 7 & 9

After discussion a motion was made by Commissioner Burns seconded by Commissioner Cotten to set a public hearing for a revision to the approved preliminary plat for Phase 3, 5, 6, 7 & 9 of Chatham Forest to connect Springdale Drive and Fox Chapel Drive for March 26, 2001 at 7:00 p.m.

Vote Aye-5 Nay-0

Mayor Devinney requested that every resident on Springdale Drive receive notification.

REZONING REQUEST – JOHN BLAIR

Manager Montgomery stated John Blair has requested rezoning of two parcels of land approximately 5.0 acres from O & I to C-2 and approximately 1.0 acres from R-10 to O & I.

Motion made by Commissioner Burns seconded by Commissioner Bryan to schedule a public hearing on John Blair's request for March 26, 2001 at 7:00 p.m.

Vote Aye-5 Nay-0

LAKE PARK PLAY EQUIPMENT

Manager Montgomery reminded the board that we must become compliant with the grant we received from LWCF. He stated we have the funds budgeted to become compliant, and requests that the board approve the request.

After much discussion a motion was made by Commissioner Burns seconded by Commissioner Griffin to approve the \$11,126.00 expenditure for purchasing the equipment needed to bring the park in compliance.

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

BUDGET CONCERNS 2000-2001

Mayor Devinney stated he had received a letter from Townsend letting us know they have temporarily shut down slaughter operation in Pittsboro.

A COPY OF THE LETTER FROM TOWNSEND IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

Manager Montgomery stated the Town is doing everything we can to help Townsend in this situation.

Commissioner Brooks stated while reading the March 2 Legislative Bulletin it gave examples of what some town's are doing to deal with the freeze from Governor Easley.

COMMISSIONER CONCERNS

Mayor Devinney stated he received an invitation for an open house that occurred in December in his mail on March 10, 2001 it was postmarked in November, he would like this to be brought to the Post Office General.

Mayor Devinney stated we need to replace Commissioner Burns on the Solid Waste Committee.

It was the consensus of the board to find a community volunteer.

Commissioner Brooks stated we should have a joint worksession after the Land Use Update is completed.

Commissioner Cotten stated we need to start looking for a place to have the meeting – late April or early May – check with Community College and bring back the first meeting in April.

Commissioner Brooks stated he was made aware that Chatham County would be considering the purchase of land tonight.

FYI – in Agenda

- Letter from Mr. Louis LeBrun of the Rose Group describing grant writing potential for needed Water Plant Upgrades.
- Letter to Ms. Tracy Burnett Chatham County Recreation Department.
- Police annual summary for calendar year 2000 and monthly summary for February.
- Letter from Ms. Robin Kohanowich suggesting a Community Wide Cleanup.

The board suggested asking Ms. Kohanowich if she wants to head the committee. The Town can get prisoners to do NCDOT major highways.

CLOSED SESSION

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into closed session in accordance with NC GS 143-318.11(a)(4) as provided to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. Vote Aye-5 Nay-0

Motion made by Commissioner Burns seconded by Commissioner Brooks to go out of closed session. Vote Aye-5 Nay-0

REGULAR MEETING

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

Mayor

ATTEST:

Clerk