

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
MARCH 27, 2000  
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, Clinton E. Bryan, Max G. Cotten and Ethel F. Burns. Commissioner Cassie H. Wasko was absent.

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

DISPOSITION OF MINUTES

Motion made by Commissioner Burns seconded by Commissioner Bryan to approve the minutes of the March 13, 2000 meeting.

Vote Aye-4 Nay-0

CITIZEN MATTERS

Al Capehart was present and presented an open letter to the board. (A copy can be found in the Book of Resolutions Number One, Page )

He also stated that in regards to the article in the Chatham Record, NCDOT had already prepared the drawings and they would not change them.

Laura Loufer, Hadley Rd., she works with a group that has applied for a grant to get some physical activities in the area. They would like to come back to board if they get the grant and talk about doing work on the Jaycees Trail.

PUBLIC HEARING

Mayor Devinney listed the items for public hearing. A motion was made by Commissioner Burns seconded by Commissioner Bryan to go into public hearing.

Vote Aye-4 Nay-0

## RENAMING CHATHAM STREET

Manager Montgomery stated we had received a request to change Chatham Street to Martin Luther King Drive.

### PUBLIC COMMENTS:

Joe and June Trageser were present to oppose the renaming of Chatham Street because of the history behind the naming of the street it is one of the oldest streets in Pittsboro. They also presented copies of deeds dating back to 1897 mentioning Chatham Street.

The Town also received a letter from Chatham County Child Support, 89 Chatham Street, opposing the renaming because of the hardships it would place on their agency.

Ernest Ramsey would like to have the street renamed. It is a short street, which their church is on (Mt. Sinai), importance of having a street named after Dr. King.

## REZONING REQUEST MR. & MRS. CHARLES A. LEWIS, III

Manager Montgomery stated Mr. & Mrs. Lewis are requesting that 5.77 acres they own located off Thompson Street be rezoned from RA to R10.

### PUBLIC COMMENTS:

NONE

## PRELIMINARY PLAT MR. & MRS. CHARLES A. LEWIS, III

Manager Montgomery stated this is for the property that Mr. & Mrs. Lewis has requested a rezoning on to be known as Hunters Creek Subdivision.

### PUBLIC COMMENTS:

NONE

## VOLUNTARY ANNEXATION – MR. & MRS. CHARLES A. LEWIS, III

Manager Montgomery stated Mr. & Mrs. Lewis have requested annexation of the 5.77 acres.

### PUBLIC COMMENTS:

Mark Ashness; request a delay in the annexation until the other items are decided.

## PROPOSED MORATORIUM

Manager Montgomery stated the proposed moratorium if enacted prohibits the approval and construction of new major subdivisions of land for residential purposes for a period of 365 days.

Attorney Messick discussed the content of the proposed moratorium.

### PUBLIC COMMENTS:

Randy Voller stated the board is wise to consider these concerns. He wanted to know if the board would consider bring in his subdivision subject to the water issues being resolved.

Linda Jacobs wanted to know why 365 days? That is a long time.

Mayor Devinney stated that it does not have to go the whole 365 days but they need ample time to study the issues.

Monica Reckless commended the Board for having a public hearing on this matter.

Margaret Pollard stated she was sorry she was late but she had been to a church meeting. She wanted to speak on the renaming of Chatham Street.

Mayor Devinney stated they were on another item now.

Randy Voller would like to make sure their sketch design is included.

Margaret Pollard stated it was a great idea to have it up for the Board's consideration because it goes by a predominately African American Church & community.

Mayor Devinney stated he wished she could have been present to hear earlier comments about this.

Motion made by Commissioner Burns seconded by Commissioner Cotten to go out of public hearing.

Vote Aye-4 Nay-0

## RENAMING CHATHAM STREET

Mayor Devinney stated Commissioner Wasko has requested that this item be delayed until she can attend.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to table this matter.

Commissioner Brooks suggested maybe considering Small Street to South Street go north to commons areas that belongs to the County – maybe some type of monument plaque could be placed their in honor of Dr. King and name it Dr. King Plaza.

Commissioner Burns suggested a sub committee look at what street would not have such a historic value.

Vote Aye-4 Nay-0

#### CHATHAM COUNTY RECREATION MASTER PLAN

Mrs. Tracy Burnett was present to present and discuss the county's master recreation plan.

Commissioner Burns thanked Ms. Burnett for a great presentation. The Board also thanked her.

#### BELL SOUTH

Manager Montgomery stated Mr. Roger Dixon and Mr. Bruce Heath are present to talk about a new phone system for the office.

Mr. Roger Dixon stated he would install and maintain the system. Mr. Heath is a salesman for the company.

Mr. Heath stated the price would be good until the end of April and they added one additional year maintenance free.

The board requested that they get the information together and bring it back to the board.

#### REZONING REQUEST – MR. & MRS. CHARLES LEWIS, III

Motion made by Commissioner Burns seconded by Commissioner Bryan to refer this request to the Planning Board for recommendation.

Vote Aye-3 Bryan, Burns, Cotten  
Nay-1 Brooks

#### PETITION FOR VOLUNTARY ANNEXATION – MR. & MRS. CHARLES LEWIS

Town Clerk Alice Lloyd stated she could not certify the sufficiency of the petition because both property owners did not sign the petition.

Motion made by Commissioner Bryan seconded by Commissioner Cotten to table this request.

Vote Aye-4 Nay-0

#### PRELIMINARY PLAT – HUNTERS RIDGE SUBDIVISION

Motion made by Commissioner Burns seconded by Commissioner Bryan to refer this request to the Planning Board for recommendation.

Vote Aye-4 Nay-0

#### REZONING REQUEST – MICHAEL L. KIRKMAN

Manager Montgomery stated Mr. Kirkman has requested that approximately 20.166 acres of land he owns on Old Sanford Road be rezoned from RA2 to RA.

Mr. Kirkman stated this property is not in Town but in the Town's ETJ, there are only five (5) perk sites on the parcel. Two of them are one (1) acre lots that it the reason he is requesting the rezoning some that he can sell two one acre lots.

Motion made by Commissioner Bryan seconded by Commissioner Burns to schedule a public hearing for April 24, 2000.

Vote Aye-4 Nay-0

#### MORATORIUM

Major subdivision in the ETJ is included in the proposed moratorium, but not minor subdivisions.

Commissioner Brooks stated he want something clear, this is not clear. He stated he would looking for something simply stating we are no longer accepting anything regarding subdivisions within the Town limits effective immediately.

The board stated Voller's property and Hunters Ridge is already included in the numbers that will make us at our limit.

Mayor Devinney stated that if you have not come before the board you are out.

Motion made by Commissioner Burns seconded by Commissioner Bryan to authorize the Town Manager not to receive any sketch plans effective March 27, 2000 at 9:15 p.m., and that Attorney Messick address the concerns the board brought up tonight in his moratorium.

Vote Aye-4 Nay-0

Mayor Devinney stated that if Mr. Voller is on the agenda next meeting make sure we have the answer to the question and water.

Motion made by Commissioner Brooks seconded by Commissioner Burns that the water pressure problems is solved before Chatham Forest is brought back to the board.

Vote Aye-4 Nay-0

#### FAIR HOUSING MONTH

Motion made by Commissioner Brooks seconded by Commissioner Burns by Proclamation to declare April, 2000 Fair Housing Month.

Vote Aye-4 Nay-0

#### LEASE WITH COUNTY SCHOOL BOARD

Motion made by Commissioner Cotten seconded by Commissioner Brooks to approve a resolution requesting an extension of the Lease on Property owned by Chatham County Board of Education for purposes of recreation.

Vote Aye-4 Nay-0

A RESOLUTION TO LEASE PROPERTY FROM THE CHATHAM COUNTY BOARD OF EDUATION FOR THE PURPOSE OF MAINTAINING RECREATION FACILITIES LOCATED ON THE CORNER OF PITTSBORO ELEMENTARY SCHOOL ROAD AND MCCLENNAHAN STREET IN THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

#### UNPAID 1999 TAXES

Motion made by Commissioner Burns seconded by Commissioner Bryan to authorize the Tax Collector to advertise 1999 unpaid real estate taxes.

Vote Aye-4 Nay-0

#### TAX REFUND

Motion made by Commissioner Burns seconded by Commissioner Bryan to authorize the Tax Collector to make a refund of 1999 taxes to Richard Droese in the amount of \$79.46 for personal property that he owns outside of Town.

Vote Aye-4 Nay-0

#### TOWN CODE OF ORDINANCES

Manager Montgomery requested an amendment to the Town Code of Ordinances to include installation of reclaimed water lines as a condition of access to the potable water distribution and wastewater collection systems of the Town of Pittsboro. A public hearing needs to be scheduled on the matter.

Commissioner Brooks stated we need to be real careful, he is not in favor of committing funds in this process.

Commissioner Cotten stated the county is soliciting business south of Town for us to supply water to.

Motion made by Commissioner Brooks seconded by Commissioner Cotten to establish a public hearing for April 24, 2000 for an amendment to the Town Code of Ordinances.

Vote Aye-4 Nay-0

#### PLANNING BOARD APPOINTMENT

Manager Montgomery stated Ms. Sandra Manning has resigned from the Planning Board due to illness and we need to replace her on the board.

Motion made by Commissioner Brooks to appoint Mark Bristol (upon his acceptance), Thrift Street to serve on the Planning Board motion was seconded by Commissioner Bryan.

Vote Aye-4 Nay-0

Commissioner Brooks stated Mr. Bristol has agreed to serve on the Planning Board.

#### BASIL WOMACK DRIVE – PRIVATE DRIVE

Motion made by Commissioner Bryan seconded by Commissioner Burns to approve the name of Basil Womack Drive.

Vote Aye-4 Nay-0

#### PAVING BIDS

Manager Montgomery stated the paving bids have come in. Lee Paving \$47,100.00 and Granville Paving \$42,453.60.

Motion was made by Commissioner Burns seconded by Commissioner Bryan to approve Granville Paving pending review of references.

Vote Aye-4 Nay-0

#### COMMISSIONERS CONCERNS

Commissioner Cotten has concerns about the water agreement that we have with the County. He stated that he has been concerned about this since 1987 and he warned the board about signing the water agreement with the county.

There was discussion about the County paying a monthly allocation amount whether they are using the water or not.

After much discussion the board felt they should get their points together for requesting the agreement be changed and bring it back to the next meeting.

Mayor Devinney stated we have found a water easement from years ago that has not been recorded. He requested that Attorney Messick report back on this.

Attorney Messick stated it had not been recorded and both people are deceased.

Mayor Devinney wanted to know how are we going to straighten it out.

Attorney Messick said there are several options that he will give them.

#### CLOSED SESSION

Motion made by Commissioner Burns seconded by Commissioner Bryan to go into closed session pursuant to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

Vote Aye-4 Nay-0

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

Vote Aye-4 Nay-0

#### REGULAR MEETING

With no further business Mayor Devinney adjourned the meeting.

Vote Aye-4 Nay-0

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Mayor

ATTEST:

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Clerk