

MINUTES OF THE WHITSETT TOWN COUNCIL
March 10, 2009
Whitsett Town Hall Building

REGULAR COUNCIL MEETING

The regular meeting of the Whitsett Town Council was held at 7:00 p.m., Tuesday, March 10, 2009 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Andy Brown, Council members Jerry Rice, Ken Jacobs, and Cindy Wheeler. Also present were Town Administrator Gary Deal, Planning Board Chairman Bob Maccia, Sheriff's Department officers Captain Lawrence Straughn and Sergeant Jess Greeson, and five other citizens.

Mayor Fennell called the Council meeting to order at 7:00 p.m., and noted that a quorum was present. Council member Rice offered the invocation.

SPEAKERS FROM THE FLOOR

Mayor Fennell asked for any speakers from the floor; and recognized Whitsett resident Martha Moss, who took the floor. Martha Moss introduced herself as the team manager for a preteen girls softball team in a Triad traveling league; and on the team's behalf, requested the Council to consider entering into a contract with her team to use the Town's ball field for practice sessions during the months that the ball field is not under contract to the Church Softball League.

Further, she explained that as part of a traveling league, the girls practice almost year round starting in February as climate permits into December until temperatures drop. While the field is under contract to the Church Softball League, Martha Moss coordinates scheduling of girls team practices with Don Pernell, League Director. But, when that contract period expires November 1, Moss would like to assume the contract for however many months the Council would be willing to allow—even the full six months even though the team would not practice for most of December and January. Additionally, Moss made it plain that the girls team fund would cover the bill for the ball field lights during the period of the contract, which they do now by arrangement with Don Pernell who, in turn, reimburses the Town for the Duke Energy bill.

Martha Moss respectfully asked Council members for their consideration, and thanked them for their time and the opportunity to present her request. In like manner, Mayor Fennell expressed the Council's appreciation for her effort; and stated that further discussion would take place under "New Business" with an invitation to Martha Moss to remain for that portion.

OLD BUSINESS

1. Adoption of the Minutes

Mayor Fennell asked for any changes to the February 10, 2009 minutes for the regular monthly meeting; and there were none. Motion made by Council member Jerry Rice to adopt the minutes as written; motion seconded by Council member Cindy Wheeler. Adoption carried by unanimous vote.

2. Discuss Ruritan's Request for Sign on Outside Wall

Mayor Fennell continued the meeting by asking for the Ruritan to come forward; but because the Ruritan's monthly meeting was simultaneously being held at this time, the club's President had been detained. Meanwhile, because the issue of the requested sign had been tabled at last month's meeting to afford time to Council members Ken Jacobs and Cindy Wheeler to assess the area and town requirements, Mayor Fennell asked the two Council members if they had had a chance to evaluate the situation; and if they had any comments concerning the installation of the sign.

Council member Ken Jacobs stated that he had checked the Town ordinances on signs and even lighting since the Ruritan had asked that their logo sign be illuminated; and the sign proposed would comply with the requirements. Council member Jacobs had relayed this to the Ruritan; but offered a preference that the Ruritan mount the sign on 3" stand-offs to not only give it a more dimensional look; but more important, to preserve the BSA Troop 265's handiwork and retain the historical significance of the stone work project.

Council member Cindy Wheeler added that she would concur with this to keep the Boy Scouts effort in tact, and so that if the Ruritan were to ever relocate its clubhouse, the BSA display would again prevail. With a general affirmative consensus among Council members, the meeting moved along until Terry Call could be present to hear the outcome and witness the approval of the Council.

3. Any Other Old Business

Mayor Fennell asked for any other old business; and there was none.

BOARD AND COMMITTEE REPORTS

1. Planning Board

Board Chairman Bob Maccia reported that the Planning Board had been working on several assignments the first of which having been, with the primary help from Town Administrator Gary Deal and assistance from Ginger Booker of PTCOG, that of finally determining differences and clarifying the Articles in the Town's ordinances that pertained to conditional-use zoning and special-use permitting which had been a much-needed, yet tedious endeavor.

With that said, Chairman Maccia asked Gary Deal to preside over defining and delineating the changes that had been arrived at. [The documents before the Council members are part of the official file for this meeting.] Deal described that much of the work involved the shifting of text for proper placement, which would not be subject to public hearing; yet, new language that would be proposed for insertion or revision would need to go to public hearing for comment.

Town Administrator Deal explained that the two areas as they currently existed in the ordinances were extremely confusing, so with Ginger Booker's assistance, Bob Maccia and he set out to resolve and clarify the sections once and for all. Deal reported that Booker tackled and recommended the changes on the portion dealing with conditional-use, whereby the intent had not changed; but with some rewording had been clarified.

With regard to special-use areas, there had been mostly wording cleanup and lenient allowances changed, e.g., the number of days to apply for a special-use permit had been proposed from 5 to 10 days due to the limited hours and days the Town office is open for business.

The goal here for both these Articles is to bring clarification to the terms and then proper usage in their applications, more in line with the County and PTCOG perceptions and intent while also conforming to Whitsett. Also, a goal is to have them on the public hearing docket along with the proposed budget for 2009-10 and any other ordinances or actions proposed for adoption.

Next, Board Chairman Maccia reported that the Planning Board had made its final review of a proposed ordinance making its way throughout municipalities and counties that prohibits sex offenders from parks and recreational facilities. Maccia added that he had attended both the Sedalia Planning Board and Town Council meetings where their members, too, were considering the proposed ordinance. All cities and towns are encouraged to adopt similar or like ordinances, so that the Sheriff's Department can enforce the law universally. Maccia then recommended to Council members that they consider adopting the ordinance for enforcement on the Town-owned ball field and playground area.

Finally, Board Chairman Maccia reported that the Planning Board had resumed the task of developing a future land-use plan for Whitsett, with a view towards desired zoning for future development over the next 5, 10, or 15 years. It would serve as a guide to those wanting to enter and develop within the Town where best their proposed use might be favored and approved.

At first, the assignment seemed monumental and so a committee within the Board had formed. Now, however, after consulting County Planner Tiki Bigelow and understanding that the plan would primarily deal with designating a "commercial" corridor along Burlington Road (Hwy 70), the seeming complexity and volume of the project diluted; and its completion is considered doable by the Board members during their regular monthly meetings. The plan would be a continual work in progress, though, with changes and improvements as they evolve to be fed to the County Planning Department for updating of maps.

2. Enforcement Committee

Enforcement Officer Gary Deal stated there had been no committee activity this month.

3. Enforcement Officer

Enforcement Officer Gary Deal reported that one clearance permit certificate had been issued since the last Council meeting to Mark Cook Electric contractor in Burlington to upgrade and boost electrical service for the dwelling located at 7105 Burlington Road, owned by Jerry Mazzurco of Burlington.

4. Town Administrator

Town Administrator Gary Deal reported that with regard to the three-year Guilford County Solid Waste Management Plan, a March 16 public hearing had been scheduled in Greensboro which he planned to attend. Each local government entity is involved in the development of this plan; and is, therefore, required by law to adopt a resolution approving and endorsing the three-year update in its final form. At the April 14 Town Council meeting, Council members will be asked to do so, with the signed resolution then forwarded to Guilford County before submission to the State.

Next, Town Administrator Deal reported that with the Town being denied any portion of Community Development Block Grant funds in 2008, the process starts over again for this year with Step 1 of required participation in a workshop with four sites and dates available. Deal stated that he will be attending the April 21 workshop in Greensboro; and Council member Ken Jacobs offered to join him.

NEW BUSINESS

1. Any Items from Council Members

Mayor Fennell reverted first to the proposed text changes for the ordinances relative to conditional-use zoning and special-use permitting and the proposed new ordinance on prohibiting sex offenders from Town-owned parks and recreational facilities; and asked for a motion to place these items on a public hearing agenda. Council member Ken Jacobs made a motion to schedule these items for the next public hearing; motion seconded by Council member Jerry Rice. The motion carried by unanimous vote.

With the appearance of Ruritan President Terry Call, the issue of the Ruritan installing and lighting their logo sign over the BSA display on the cafeteria outside wall was raised with the earlier suggestion from Council member Ken Jacobs of using stand-offs to protect the BSA work. Terry Call would adhere to whatever it took to gain more exposure to the civic organization's presence in Town. With that, Mayor Fennell asked for a motion to grant permission to the Ruritan to position their sign where the BSA is now seen. Council member Ken Jacobs so moved; motion seconded by Council member Cindy Wheeler. The motion passed unanimously.

Ruritan President Call then, having reviewed the current concession stand contract, asked for Council consideration in allowing the Ruritan to operate the stand this year. Call added that if this can happen, he would suggest that in lieu of paying a portion of proceeds, he would prefer to pay the electric bills for the months of the contract. It was proposed that a draft contract with these adjustments be worked up for Council review; and be discussed along with pending approval at the April Council meeting.

The next issue back to the floor, was that of Martha Moss's request to enter into contract with the Town for use of the ball field for practices by her young girls team. She would like to have the Town's authority to manage the field at least from February until the Church Softball League's contract would take effect, and then pick up again when the Church League's contract expires on November 1 until such time as temperatures become too cold for her girls to practice, i.e., sometime in December through January.

Questions and concerns came from the Council relative to frequency of practices, lights curfew [consideration of bordering residents], scrimmages with other teams [noise levels], liability [hold harmless], number of team members who reside in Whitsett, etc.

Martha Moss's replies were, respectively, 1 practice maybe 2 a week, lights would be off promptly by 7:30 since school nights, no scrimmages to disturb peace—only practices of her team, the Triad travel league requires its own insurance plus the Town has copies of its required "hold harmless" forms signed by parents—so double layer of insurance, and she herself is resident of Whitsett with team members relatively local.

Bottom line: Martha Moss wants to be assured of a field that her girls team can practice on on a regular basis; and the Triad traveling league is very responsible with regard to all aspects of consideration, sportsmanship, etc.

The Council asked for time to consider this request and to poll neighbors within vision of the ball field lights since lights would be used during months not normally expected. The Town would get back with Martha Moss certainly before time approaches for the Church League's contract to expire.

Finally, Mayor Fennell brought up that he had attended a meeting called by Sheriff Barnes to discuss the Crime Stoppers program in an effort to stir interest in community participation and solicit volunteers to man the phones in taking calls, and also to ask for municipal government donations.

Captain Lawrence Straughn and Sergeant Jess Greeson were present to field questions, with Sgt Greeson citing that they find that the Whitsett neighborhoods are essentially sound; but because of the close proximity of Interstate 85/40, it is those coming into the area or through it that are of concern. And, the Sheriff's Office would like to hear of any alarm from Whitsett residents of suspicious activity—without hesitation. The residents of Whitsett are the Sheriff's Office's eyes and ears since they know their community and neighborhoods all too well; and the officers appreciate expressed their appreciation for any help. Likewise, Mayor Fennell thanked the officers in the Sheriff's Office.

4. Announcements

Mayor Fennell asked for any announcements; and there were none.

5. Speakers from the Floor

Mayor Fennell asked for speakers from the floor; and no one came forward.

ADJOURNMENT

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion was made by Council member Jerry Rice for adjournment; motion seconded by Mayor Pro Tem Andy Brown. Motion passed unanimously; and the March 10 Town Council meeting was adjourned at 8:00 p.m.

The next regular meeting of the Town Council will be at 7:00 p.m., Tuesday, April 14, 2009 at the Whitsett Town Hall.

/s/

/s/

Jo Hesson, Town Clerk

Richard Fennell, Mayor

APPROVED: April 14, 2009