

JONESVILLE TOWN COUNCIL
Regular Meeting
January 11, 2010

AGENDA

6:45 p.m.

1.) PUBLIC HEARING ON REQUEST FOR REZONING

James and Johnnie Walters have requested a rezoning of their property located at 3452 Fall Creek Church Road. The property is currently zoned M-1 (Manufacturing). The Walters are requesting that the property be zoned residential. The property in question is currently being used for residential purposes by the Walters. They are in the process of selling the property and the new owner wants the rezoning to assure that the property may continue to be used for residential purposes into the future.

The Planning Board met on December 16, 2009 to hear the request. The Planning Board voted unanimously to recommend approval to the Town Council.

Town staff has caused a notice of this public hearing to be published, posted signage on the property, and notified all adjacent property owners as required by law.

7:00 p.m.

1.) CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

2.) CONSIDERATION OF REQUEST FOR REZONING

Following the public hearing, the Council may vote to approve (or not) the rezoning request.

3.) ADOPTION OF MINUTES

(TAB 1)

December 14, 2009 regular meeting

4.) **PUBLIC COMMENT PERIOD**

Each speaker is asked to limit comments to **3 Minutes**, and the total comment period will be 30 minutes or less. Although the Council is interested in hearing your concern, speakers should not expect Council action or deliberation on subject matter brought up during the Public Comment Period. Topics requiring further investigation will be referred to the appropriate Town officials or staff and may be scheduled for a future agenda. Thank you for your consideration of the Town Council, staff and other speakers.

5.) **PRESENTATION – FISCAL YEAR 2008/09 AUDITORS REPORT**

Mr. Jack Wilson or one of his associates will be at the meeting to present the fiscal year 2008/09 audit report.

6.) **REQUEST TO CLOSE RIGHT-OF-WAY – PARK DRIVE** (TAB 2)

Mr. Ricky Macemore is requesting that the right-of-way for Park Drive be permanently closed. According to my research, the right-of-way has existed on the map since at least 1924. North Carolina General Statute 160A-299 spells out the procedure for closing a public street. In short, the Town Council would have to first adopt a resolution stating its intent to close the street, call a public hearing to receive public input on the question, publish the resolution in the newspaper for four (4) consecutive weeks, mail a copy of the resolution to every property owner adjoining the street, and post a copy of the resolution on at least two locations along the street. This process is the same regardless of whether the street is actually open or not.

I am aware of at least one instance in the past where the Town was requested to close a street. In that case, the Town required the person making the request to pay all costs associated with the publication, etc.

7.) **REQUEST TO MOVE SEWER MANHOLE – GAYLE & I.W. MACY** (TAB 3)

Several months ago the Macys approached the Town about removing the sewer flow meter and manhole that is located in their field located across Valley Drive from the Food Lion shopping center. The Town owns an easement across this property. The facility was used to meter the sewer flow coming from Arlington before the two Towns merged. The Macys stated that the reason of the request is due to the fact that the facility is in the middle of their field and has caused damage to farm equipment.

At the time that the Macys originally made the request, the Town Council asked if they would be willing to pay a percentage of the cost. The Macys replied by saying that they had not received any (or very little) compensation for the

easement and did not feel that they should have to pay any toward the removal of the flow meter and manhole.

We have received two bids from utility contractors for removal of the facility. The low bidder is Carolina Environmental Specialists in the amount of \$2,500.00. The bids are located in your packet behind Tab 3.

8.) DISCUSSION OF NORTH MINERAL SPRINGS DRIVE CONDITIONS (TAB 4)

At last month's meeting Council member Lewis requested that I place an item on the agenda for the Council to discuss the condition of Mineral Springs Drive. I have included in your packet a short explanation about City's responsibility to maintain streets. In short, we are required to maintain our streets in "a reasonably safe condition." Otherwise, the Town could be held liable for property damage or personal injury to anyone injured by the condition.

9.) DEPARTMENTAL REPORTS (TAB 5)

Tim Collins	–	Utilities Director
Roger Martin	–	Public Works Director
Roger Reece	–	Police Chief
Keith Macy	–	Fire Chief

10.) CLOSED SESSION – ATTORNEY / CLIENT CONFIDENTIALITY

11.) ADJOURN

OTHER ITEMS IN YOUR PACKET

- Welcome Center Statistics
- Town Financials

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