

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, JANUARY 25, 2016
7:00 PM

Mayor Cindy Perry called the meeting to order and called for a moment of silence.

PLEDGE OF ALLEGIANCE

Commissioner Farrell led the Pledge of Allegiance.

ATTENDANCE

Members present: Mayor Cindy Perry, Mayor Pro Tem Pamela Baldwin, Commissioner John Bonitz, Jay Farrell, Michael Fiocco and Bett Wilson Foley.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Town Clerk, Attorney Paul S. Messick, Lt. Troy Roberson, Planning Director Jeff Jones, Parks Planner Paul Horne and Engineer Fred Royal.

CONSENT AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the consent agenda as submitted. The Consent Agenda contains the following items:

1. Approve minutes of the January 11, 2016 regular meeting.
2. Receive the Financial Summary Report for FY 2015-2016 through December 31, 2015.
3. Approve an Ordinance Amending the FY 2015-2016 Operating Budget.
Vote Aye-5 Nay-0

AN ORDINANCE AMENDING FY 2015-2016 OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 1

REGULAR MEETING AGENDA

Mayor Perry stated Item #3 Old Business has been withdrawn for this evening.

Motion made by Commissioner Fiocco seconded by Commissioner Foley to approve the regular meeting agenda as presented deleting #3 Old Business (Davie Street Cottages).

Vote Aye-5 Nay-0

CITIZENS MATTERS

Debra White – 128 Davie Street asked are there rules that there should be a certain amount of road front footage for property. And does that apply to pocket neighborhoods.

Planner Jeff Jones stated current staff is reviewing the Davie Street Cottages project against all ordinances of the Town. He stated it does not have the frontage required in the subdivision ordinance.

MAYOR AND COMMISSIONER UPDATES

Mayor Updates – Mayor Perry stated she attended the January EDC meeting; met with Chatham Park to convey to them that the Town Board would like quarterly updates on the Chatham Park Project (they were agreeable); attended the NAACP Martin Luther King Breakfast in Siler City; a NCDOT Webinar on Pedestrian and Bicycle Safety which she would like to bring to the Chief of Police at some point for possible sponsorship and on Friday night she visited Northwood High School where an emergency shelter was set up as a result of the storm where she brought greeting from the Town of Pittsboro.

Commissioner Bonitz stated he attended a 2 day Essential of Municipal Government course at the UNC SOG and he learned a lot.

Commissioner Foley stated she is Vice President of the Arts Council and she wanted to announce they are moving into a new space on 64.

Commissioner Foley stated that two local business have been mentioned in the media. Tools from a Pittsboro tool shop were used in “The Revenant” movie which has been nominated for an Oscar and a Mobile Vintage trailer being used for wedding consultation services.

Commissioner Fiocco said the last PBA meeting was a review of 2015. They had a very successful year and look forward to 2016. He also attended the ABC meeting and Jim Nass is present tonight with good news.

Commissioner Baldwin stated there is a Triangle J Council of Governments board orientation meeting scheduled for Wednesday.

PUBLIC HEARING

Motion made by Commissioner Foley seconded by Commissioner Fiocco to go into a public hearing.

Vote Aye-5 Nay-0

REZONING REQUEST FROM GREG OGLE (REZ-15-05) FOR 480 MT. ZION RD

Planning Director Jeff Jones stated Greg Ogle is proposing to rezone approximately 15.61 acres, 480 Mt. Zion Rd, from M-2 (Heavy Industrial) to R-A (Residential Agricultural).

The Planning Board recommended approval of this proposed rezoning at its regularly scheduled meeting on December 7, 2015.

Mayor Perry asked Mr. Ogle if he had anything to say. Mr. Ogle stated he is just asking to have it rezoned as it is being used right now. So, if anything happened to their house they could rebuilt as it is today.

PUBLIC COMMENTS:

None

Commissioner Farrell asked if Mr. Ogle was a part of the lawsuit against the Town. Mr. Ogle said not any longer.

After questions and answers a motion was made by Commissioner Fiocco seconded by Commissioner Foley to go out of public hearing.

Vote Aye-5 Nay-0

OLD BUSINESS

MID-YEAR UPDATE FROM ABC BOARD (JAMES NASS)

Mr. Nass stated on behalf of himself and fellow board members Ned Kelly and Hugh Harrington he was glad to report that:

Revenues are up 9.9%
Retail sales are up 9.9%
Mixed Beverage sales are up 8.7%

At the end of the first quarter he presented the Town with a check in the amount of \$10,175 and tonight he is presenting the Town a check in the amount of \$12,505 for a total of \$22,680 this year.

Mr. Nass thanked the Board of Commissioners for their support and especially thanked Commissioner Fiocco for attending their meetings.

The Board complimented the ABC Board for all the improvements and dedication of time they have put into the store to make it so successful.

SMALL TOWN MAIN STREET PROGRAM UPDATE (PAUL HORNE)

Parks Planner Horne gave the board an update on the Small Town Main Street Program. The following is a list of upcoming ideas/projects:

4 Point Focus	Work plan Highlights
Design	Host a Window Display Design Basics Workshop & Makeover - Façade Grant Program
Promotion	Engage in a Downtown Branding Process
Economic Vitality	Create a Building Inventory of Main Street Project Area
Organization	Create & Maintain a Sustainable Public/ Private Main Street Partnership

The first project on the work plan is to hold a window display workshop whereby the principles of window design are presented coupled with a hands-on makeover of a selected merchant's window.

The second project is to engage in a Branding Process for Downtown Pittsboro. The third project is assembling a building inventory of structures within the Main Street project boundary.

Finally, creating and maintaining an active and sustainable partnership is a crucial goal. The quality of participation is indicative of progress along this line.

Ongoing Façade Grant Projects: Russell & Associates @ 69 Hillsboro St.

**PRELIMINARY PLAT REVIEW: DAVIE STREET COTTAGES (SUB-2015-03)
(JEFFREY JONES)**

Request withdrawn for tonight.

Mayor Perry stated since the Davie Street Cottages has been withdrawn tonight, Mr. Gruesbeck had stated that Tom D'Alesandro, Preston Development would like to give a brief update.

Mr. D'Alesandro stated he is not prepared to address everything they are doing. His focus for tonight is the Special Assessment District.

The update he wanted to give is that the Medical Office Building should be opening in two weeks which will bring 80 medical jobs to Pittsboro and medical services to Pittsboro.

He stated that he been looking at interesting market research on residential communities and one of the top amenities in the nation that people want to see is medical facilities.

Mr. D'Alesandro stated they are working very hard right now on the additional elements and small area plan. They are going through it very carefully and it is taking a little longer than they thought.

There was discussion about the development agreement and additional elements - lighting plan, tree protection and affordable housing.

NEW BUSINESS

CHATHAM PARK REQUEST TO CHATHAM COUNTY TO ESTABLISH SPECIAL ASSESSMENT DISTRICTS IN THE CHATHAM PARK PLANNED DEVELOPMENT DISTRICT (BRYAN GRUESBECK)

Manager Gruesbeck reported that Special Assessment Districts are allowed in North Carolina but have seen limited use. A “typical” special assessment district would allow the public entity to finance or otherwise pay for public improvements and then recoup costs from the properties in the district by levying a tax against the properties that are benefited by the improvements.

Preston Development is asking the Chatham County Board of Commissioners to establish a “Special Assessment District” which would allow Chatham County to levy and collect a tax from properties in the Chatham Park development in order to fund improvements specific to Chatham Park. The request is directed toward Chatham County to establish the Special Assessment District because under North Carolina law, Towns cannot establish a district in its ETJ.

The essential difference in our situation is that Chatham Park proposes to pay for the improvements (as opposed to using public financing). Chatham County would then reimburse Chatham Park for a portion of the costs of the development over a period not to exceed 25 years (less interest and administrative fees). Current legislation would need to be modified to allow this model.

The advantage to the public is that this method would ensure that property owner(s) in the Special Assessment District pay the development costs without risk to the public. The Special Assessment District tax is levied against the property and acts as a lien – the property could be foreclosed if the tax is not paid.

This issue was initially discussed with the County Board of Commissioners on November 23, 2015. The County Board anticipates discussing again in February and providing direction to County Staff on how to proceed. The Chatham County Board of Commissioners has asked for input from the Town of Pittsboro Board of Commissioners.

Mr. Tom D’Alesandro and other representatives from Preston Development are present to answer any questions.

Mr. D’Alesandro made the following presentation using power point.

Special Assessment Districts

Assessment Districts provide a method of cost recovery for capital intensive development projects in order to mitigate the impact of large upfront capital expenditures.

Assessment Districts allow developers to accelerate construction of public infrastructure needed to attract employers, who typically want it in place prior to committing to locate in an area.

Assessment Districts enhance the quality of public improvements, to the benefit of residents across the entire Town and County.

Special Assessment Districts are responsible mechanisms for ensuring long term public improvement plans. They allow growth to pay for growth.

Buyers in Special Assessment Districts understand that in addition to paying the purchase price for their home or land, they will also pay the Assessment for a period of time.

Chatham Park's Special Assessment District will have no impact on Chatham County's or Pittsboro's credit, nor will it generate any financial risk to the County or Town.

Special Assessment Districts provide an additional mechanism for developers to recoup upfront public improvement investments without having to rely exclusively upon land sales.

All of the public infrastructure that Chatham Park builds will be conveyed to the entity that customarily owns such infrastructure, be that the Town, the County or the State.

Chatham Park has begun to explore a Special Assessment District with Chatham County, who would administer the District. The County would like the Town to support the County's exploration of Special Assessment District.

Chatham Park intends to limit the annual assessment on residences to no more than \$500.00 in 2016 dollars. Businesses will likewise have a cap on annual fees.

This cap will prevent the Special Assessment District from being able to fully reimburse Chatham Park for the costs of the public infrastructure.

At a maximum, the impact of the Special Assessment District would be a monthly payment of approximately \$40.00 in mortgage.

Chatham Park respectfully requests that the Town of Pittsboro support Chatham County's exploration of a Special Assessment District with Chatham County.

After much discussion a representative for Preston Development said they are here to talk about exploring the possibility of Special Assessment District, therefore they don't have any details yet.

After much discussion a motion was made by Commissioner Baldwin seconded by Commissioner Foley to advise Chatham County the Town supports exploring a Special Assessment District in Chatham Park Master Plan for exploration purposes only and that they report results back to Board of Commissioners.

Vote Aye-5 Nay-0

ADDITIONAL UPDATES AND REPORTS

MANAGER'S UPDATE ON PROJECTS

Manager Gruesbeck went over the written update submitted with agenda packets.

Chatham Park (General Updates) – Informational meetings were held at Chatham Park’s Downtown Pittsboro office and were attended on separate occasions by members of the County and Town Boards, Town and County Staff, as well as Preston Development representatives. The Mayor of Sanford attended one of the meetings. The meetings allowed the two boards and Preston Development to discuss and receive updates regarding salient issues: schools, infrastructure and phasing of the development. Mayor Perry requested that Preston Development provide quarterly updates to the Town Board of Commissioners.

Jeffery Jones, Town Planner, and I met with Preston Development on January 20, 2016 and discussed a similar set of issues. Much of our discussion focused on details associated with a conceptual Special Assessment District (SAD) to pay for improvements specific to Chatham Park as well as next possible steps in extending a sanitary sewer force main from Pittsboro to Sanford. Preston Development and I anticipate holding regular monthly meetings that are separate from the more technical/project-related meetings held between Town “Professional” Staff (e.g. Planning/Engineering/Utilities) that are currently held at least once per month.

Sanford Sanitary Sewer Line Extension – You will recall that the Town of Pittsboro submitted an application to the Clean Water State Revolving Fund (CWSRF) for a loan to refurbish Pittsboro’s existing WWTP and construct a 14-mile force main from Pittsboro’s WWTP to Sanford’s WWTP. The new force main would provide an additional 2.0 MGD in wastewater capacity. The State Water Infrastructure Authority met on Thursday, 1/21/16 and provided full formal approval of the CWSRF loan amount of \$21,585,500. We will be receiving a formal notification of approval shortly.

I met with Hal Hegwer, Sanford City Manager, and Victor Czar, Sanford Public Works Director regarding next steps for negotiating an agreement between the City of Sanford and the Town of Pittsboro to extend a sanitary sewer line from Pittsboro to Sanford’s wastewater treatment plant. Mr. Hegwer anticipates discussing this issue over the next two (2) Sanford City Council meetings. I anticipate that rate structure will be a key component of our discussions.

Affordable Housing Committee – During the Joint Elected Officials meeting held on November 12, there appeared to be a consensus to allow the County Manager and the Town Managers to discuss the formation of a “working committee” and guide next steps based on the Chatham County Board retreat (held on October 1, 2015). During my meeting with the County Manager and Siler City’s Town Manager, we agreed to contact the Triangle J Council of Government and to ascertain possible technical support from a 3rd party consultant for next steps. The County Manager and the Town Managers will be meeting with staff from Triangle J on February 1, 2016 to determine the feasibility of working with Triangle J to help assemble a task force to oversee an Affordable Housing Plan for Chatham County.

Chatham Park PDD Master Plan: Additional Elements – Preston Development continues to work on the Additional Elements component of the Chatham Park Planned Development District Master Plan and may be submitting them in mid-February. Town Staff will provide an overview of review process for the Additional Elements when it receives them. Small Area Plans will be submitted after the Additional Elements are approved.

Unified Development Ordinance (UDO) – “Module 1” representing new regulations of the UDO was presented to the Planning Board on January 4, 2016. The Technical Advisory

Committee met on January 19, 2016. Meetings with the Technical Advisory Committee and a joint meeting between the Town Board of Commissioners and the Planning Board is anticipated in the near future to discuss the document. A public forum is also anticipated. Updates can be found at the Town website or directly at www.pittsboroudo.com.

Wastewater Inflow and Infiltration (I&I) – Hydrostructures installed ten (10) meters on Monday, December 14, 2015 to measure the possible flow of storm water into sanitary sewer manholes. Fortunately, the Town experienced a significant amount of rainfall over the holidays. Staff and Hydrostructures are currently analyzing data from the installed meters. Once analysis is complete, Hydrostructures will be smoke testing to determine the location of defects in the lines and manholes. Following smoke testing, Hydrostructures will send robot cameras through defective lines to learn the nature and extent of the storm water infiltration. Once the location of the defects is identified, repair plans and specifications will be developed and submitted DENR by March 1, 2016 (DENR extended the deadline in order to allow Hydrostructures to submit a thorough testing and design process). These plans will propose fixes within the scope and limits of the project budget. DENR will review the plans and provide final approval before the Town is able to begin repairs. Construction could begin as early as May 2016.

Salisbury Street Storm Drain Improvements – The aged and defective storm drain structure that runs under Salisbury Street near the Episcopal Church Cemetery was collapsing. Contractors installed a new concrete box (aka, Drop Inlet or Junction Box) in place of the old structure. At the time of this writing, we are waiting on a lid and additional fill material before creating a temporary patch over the road surface. Staff anticipates repaving the repaired portion of Salisbury as soon as weather permits.

Engineering/Planning/Parks/Utilities Office Space – Staff is waiting on updated agreement language to reflect the considerations expressed during your consideration of the draft Lease Agreement. Hobbs Architects anticipate moving out of their space in mid-February.

Board Retreat Date – During the January 11, 2016 Board of Commissioners meeting, you agreed to schedule a retreat for Thursday, February 11, 2016 at the Town Hall from 4pm-8pm. Our facilitator, David Long, is available. He has suggested a couple agendas, given the shorter meeting time – one that would include Dept. Head presentations; the other format would essentially be a “Board only” discussion. He recommends Board only, given new Board membership. Please consider and let me know your thoughts. Either option is workable from my perspective: Dept. Head presentations (as well as follow-up questions) would need to be abbreviated.

The Board agreed they would like to hear from department heads at the beginning of the retreat.

COMMISSIONER CONCERNS

Commissioner Fiocco stated when Clarion was making their presentation on the UDO they mentioned all the stakeholders attending the meetings. He asked for a list of those stakeholders in attendance and haven't been provided that information yet. He asked that staff follow up on that.

Commissioner Fiocco said he would also like to set up a Special Assessment District workshop with staff. He feels this is very information and we should go ahead and set a date.

Commissioner Bonitz stated with Nancy Emslie's departure, he hopes we can get someone that is equally as good or better. So we can get a better understanding of prospects for generating funds in the future. They should be comfortable preparing modeling scenarios.

ADJOURNMENT

Motion made by Commissioner Farrell seconded by Commissioner Fiocco to adjourn at 8:57 pm.

Cindy S. Perry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk