

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, JANUARY 26, 2015  
7:00 PM

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

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Commissioner Farrell.

**ATTENDANCE**

Members present: Mayor Bill Terry, Mayor Pro Tem Pamela Baldwin, Commissioner Jay Farrell, Michael Fiocco, Bett Wilson Foley and Beth Turner.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner Stuart Bass, Parks Planner Paul Horne and Finance Officer Nancy Emslie.

**CONSENT AGENDA**

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

1. Approve minutes of the January 12, 2015 regular meeting.  
Vote Aye-5 Nay-0

**REGULAR MEETING AGENDA**

Motion made by Commissioner Baldwin seconded by Commissioner Turner to approve the regular agenda as submitted.

Vote Aye-5 Nay-0

**CITIZENS MATTERS**

NONE

**PUBLIC HEARING**

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

Vote Aye-5 Nay-0

**ANNEXATION REQUEST (A-2015-01) FROM PITTSBORO FORD (STUART BASS)**

Planner Bass stated the property located at 1293 Thompson Street is contiguous to the corporate limits. There is no proposed zoning change. The property is currently a vacant residential house with planned expansion of Pittsboro Ford Dealership.

The property is currently served by water and has wastewater available.

Commissioner Baldwin stated she had received a letter about why the applicant was the Townsends and the property has been sold. It was explained that when the application was initially submitted the Townsends were the legal owner of the property, but the property was sold on December 31, 2014 and we have received an application signed by the current owner.

#### PUBLIC COMMENTS:

None

Motion made by Commissioner Fiocco seconded by Commissioner Turner to go out of public hearing.

Vote Aye-5 Nay-0

#### OLD BUSINESS

##### **EXTENSION OF MUPD ZONING AND WATER AND WASTE WATER CAPACITY ALLOCATION FROM PITTSBORO PLACE (BRYAN GRUESBECK, BILL JACKSON (PITTSBORO PLACE), GRAY STYERS (PITTSBORO PLACE))**

Manager Gruesbeck said Pittsboro Place Partners MUPD was approved in 2007. They also Acquired 15,000 gpd of water and wastewater. The project has not developed.

Manager Gruesbeck said he brought up a proposal from Pittsboro Place Partners at the November 24, 2014 meeting. Since that time they have revised the request to extend their MUPD zoning and their water and wastewater capacity. According to our current ordinances the extension of the MUPD zoning allows for a one year extension. However, Pittsboro Place Partners is suggesting a text amendment to Section 5.6.10 that would allow the Board to consider an extension of MUPD zoning for three years.

Manager Gruesbeck stated they are also requesting that the water and wastewater capacity extension not to exceed three years. Securing 15,000 GPD of capacity for twelve months. If this capacity were unused, on the 13<sup>th</sup> month capacity would be reduced to 10,000 GPD for the remaining two years.

Gray Styers stated the board has two requests before them tonight. The extension of the MUPD for three years. He stated the Board put a lot of time and effort into developing a very detailed MUPD Plan that went over and above what the requirements were be it was approved. He said if it is not extended this would all disappear and the property would revert back to M-2 zoning (most lenient zoning in town). In 2012 the Town's LUP recognized the property as MUPD property.

Mr. Styers read from a letter in the agenda packet from Income Properties of Raleigh stating they have three serious grocery store anchors seeking to take a look at the Pittsboro market. And that the site behind State Employees Credit Union would be a great opportunity for them.

Mr. Styers said by right the Town could by right extend it for one year. But they are suggesting a text amendment that it can be extended up to three years. That projects that have been held up in the last several years due to the recession be the only exemptions.

Mr. Styers stated the Mr. Jackson recognized in order to make the investment to purchase the property and develop the plans it wouldn't be worth the paper it was written on unless they had water and wastewater allocation. So they purchased water and wastewater allocation from Dixie Restaurant (15,000 gallons per day) in 2005.

Mr. Styers said they would like for the board to approve the one year extension tonight so they can effectively market the property.

After discussions the board asked staff to do a water and sewer analysis, revisit the fees and to determine the definition of diligently pursuing completion of the construction and to see the PPP approved plans. They requested that it be on the next agenda for consideration or at least the one year extension which is authorized by ordinance. Also, an estimate of pre-payment of a portion of the Capital Recovery Fees.

Mr. Styers said he wanted to make sure he understood what the Board had said. He stated it was his understanding that the Board is inclined to do the one year extension and a three year extension seems reasonable but they want more information before taking that step. The Board agreed.

The Board asked Manager Gruesbeck to have a Resolution on the agenda next meeting for a one year extension on the MUPD and Water and Sewer Allocation request.

#### **WATER AND SEWER RATE ANALYSIS (NANCY EMSLIE; DAVID TUCKER)**

Finance Officer Nancy Emslie and Mr. David Tucker from the School of Government gave a PowerPoint presentation. The PowerPoint can be found at:

[http://pittsboronc.gov/index.asp?Type=B\\_BASIC&SEC={D571086B-2D4C-4B53-9CCC-A9CE5ADA0456}&DE={EB0D6CF5-3536-4EFE-A09B-0CA54D4CF4A2}](http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={D571086B-2D4C-4B53-9CCC-A9CE5ADA0456}&DE={EB0D6CF5-3536-4EFE-A09B-0CA54D4CF4A2})

Mr. Tucker said it was a pleasure working with Town staff. After discussions the board agreed this will be an item they will be working on. Mayor Terry stated it may be discussed at the upcoming retreat. The Board thanked Mr. Tucker for his assistance.

#### **REZONING REQUEST (REZ 2014-02 (AMENDED)) FROM HUGHES PROPERTY (STUART BASS)**

Planner Bass said Mr. Hughes is requesting the Town to rezone approximately 10.3 acres off of West Cornwallis Street from R-15 to R-12. A public hearing was held on January 12, 2015.

Commissioner Fiocco said he would like to make a clarification statement for the record that whether it is a multi-family or single family the difference in the number of dwelling units that would be permitted between R-15 and R-12 would increase 7 units. From 30 (R-15) to 37 (R-12). In fact that is the absolute maximum.

There was some discussion about the entrance and exit to the property.

Motion made by Commissioner Farrell seconded by Commissioner Foley to approve the Ordinance Amending the Zoning Ordinance of the Town of Pittsboro.

Vote Aye-5 Nay-0

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 1-7**

**PAGE VERNON PARK: REVIEW OF COSTS AND SCHEDULE (PAUL HORNE)**

Mr. Horne stated the information he submitted as an update and FYI item. He said the project will be put out to bid this week and the project should be completed by May 29, 2015.

Commissioner Fiocco commended Mr. Horne and Rob (landscape architect) for the work on this project and they have come up with a fantastic project.

**NEW BUSINESS**

**RESOLUTION TO APPROVE FINANCE TERMS FOR NEW POLICE VEHICLES (NANCY EMSLIE)**

Motion made by Commissioner Baldwin seconded by Commissioner Turner to approve the resolution approving finance terms from BB&T Governmental Finance.

Vote Aye-5 Nay-0

**A RESOLUTION APPROVING FINANCING TERMS WITH BB&T BANK IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 1-2**

**UPDATES AND REPORTS**

**MANAGER'S UPDATE ON CAPITAL PROJECTS**

Chief Crutchfield will be submitting an application for video recording equipment. If we are awarded monies it will come back to the Board for acceptance and approval.

**Pittsboro Downtown Vision Plan:** NCDOT is currently reviewing a work plan from Kimley Horne and scope of services. Following that KHA will begin survey and design work for the area. Once that is completed, NCDOT will review KHA design work. Utility and right-of-way issues are mitigating factors that could stretch the timeline. NCDOT has indicated that they will not cover the costs of public involvement. This task is necessary to gather public and stakeholder

input to this portion of the Visioning process. He is working with KHA on options related to creating the engagement piece.

**Early year planning retreat:** The retreat is scheduled for February 2, 2015 from 8:30am until around 4:30p.m. He asked that each board member submit particular topics of concerns for discussion. He would like to have this information so he can prepare an agenda by Friday.

**Wastewater and Water Treatment Options - Development and Ownership Possibilities:** He has had some productive meetings with various stakeholders regarding future water and wastewater options related to Chatham Park. The Town Engineer and he have met with the consulting engineer for Preston Development regarding preliminary concepts (i.e., the possible location of water and wastewater infrastructure). He has met twice with Jeff Hughes from the Environmental Finance Department at UNC's School of Government to learn more about comparative practices in North Carolina for constructing, operating and owning infrastructure in various public/private scenarios. There are a number of alternatives.

Mr. Hughes has tentatively agreed to attend our regular board meeting on February 23, 2015 to discuss different finance and ownership mechanisms in North Carolina with particular emphasis on our current preliminary concepts.

#### **FY 2014-2015 FINANCIAL REPORT AS OF DECEMBER 31, 2014**

Ms. Emslie highlighted the reports included in the agenda packet.

#### Mayor Updates

- EDC – Joint meeting Thursday at 7 pm at Best Food – vacancies have been filled. He will be presenting a Proclamation for a citizen turning 104 on Wednesday. It will be held at Cambridge Hills.
- RPO
- Solid Waste
- Fairground Association
- PBA/Downtown –they are having larger turnout each meeting

#### **COMMISSIONER CONCERNS**

Commissioner Foley asked that Carolina Dialysis be given a call about the one change in the disinfection process at the water treatment plant so they can notify their patients.

Commissioner Fiocco said there was not a written document of the Manager's Update in the packet. He said he was glad to see it at his seat tonight. Manager Gruesbeck said he is looking at another way to do the update.

Commissioner Fiocco said there is an issue with Potterstone sidewalks and he would like a resolution one way or another. Manager Gruesbeck said a policy is going to have to be developed to address this issue all over town.

Commissioner Baldwin stated she has a Triangle J meeting on Wednesday and if anyone has anything they would like discussed to please let her know.

FYI –

1. Memo from Clarion Associates, LLC to Town Planner Re: Status of Pittsboro Unified Development Ordinance Project
2. Memo from Chief Crutchfield Re: Grant Application for Video Recording Equipment

### **ADJOURNMENT**

Motion made by Commissioner Farrell seconded by Commissioner Turner to adjourn at 10:08 pm.

Vote Aye-5 Nay-0

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William G. Terry, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC  
Town Clerk