

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, JUNE 13, 2016  
7:00 PM

Mayor Perry called the meeting to order and asked for a moment of silence after which Mayor Perry gave a brief invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Farrell led the Pledge of Allegiance.

**ATTENDANCE**

Members present: Mayor Cindy S. 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, Attorney Paul S. Messick, Jr., Detective Sergeant Shorty Johnson, Planning Director Jeff Jones, Finance Director Heather Meacham, Utility Director John Poteat and Engineer Fred Royal.

Motion made by Commissioner Bonitz seconded by Commissioner Foley to approve the agenda as submitted adding “new business” item #1 a discussion on forming a community committee for the Chatham Park Project.

Vote Aye-5 Nay-0

**CONSENT AGENDA**

Motion made by Commissioner Bonitz and by Commissioner Foley to approve the consent agenda as submitted. The Consent Agenda contains the following items:

1. Approve Minutes of the May 23, 2016 Regular Meeting.
2. Review proposed Pittsboro ABC Budget for Fiscal Year 2016-2017
3. Approve Resolution to Update the Town of Pittsboro Travel Policy
4. Approve Resolution Establishing Town of Pittsboro Credit Card Policy
5. Set Public Hearing to rezone property located at 603 West Street (REZ-2016-04) for June 27, 2016 at 7 pm.
6. Set Public Hearing for Special Use Permit for Northwood High School for June 27, 2016 at 7 pm.

7. Approve Ordinance Amending the Town of Pittsboro FY 2015-2016 Operating Budget for Sanitary Sewer Infiltration and Inflow (I&I).

Vote Aye-5 Nay-0

**RESOLUTION TO UPDATE THE TOWN OF PITTSBORO TRAVEL POLICY AND POLICY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 108-112**

**RESOLUTION ESTABLISHING CREDIT CARD POLICY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 113-118**

**AN ORDINANCE AMENDING FY 2015-2016 OPERATING BUDGET FOR SANITARY SEWER INFILTRATION AND INFLOW IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 14**

## **REGULAR MEETING AGENDA**

### **CITIZENS MATTERS**

Vanessa Jenkins – Chatham Park – stated Chatham Park has planned three public presentation meetings on the Additional Elements submitted to the Town. The first meeting was held last Wednesday and the next two will be on June 15, and June 22, 2016 at their downtown office from 6-8 (or until finished).

Randy Voller – 21 Randolph Court read the following prepared statement into the record:

Good evening, Mayor Perry and assembled members of the Town Board.

I am addressing you as an update to the points that I provided to the Town when the current board were sworn in last December.

Back in December, I respectfully offered a few items as a former board member that I believed you should consider for FY 2016 and beyond. Here are my thoughts again with updates:

1. The Town Board should benchmark its budget and compensation for its board members against similar municipalities in the Triangle J region and adjust its budget accordingly. I am advising you that you should at least bring your compensation in line with Siler City and going forward the Town should have a cost of living adjustment in its budget document that automatically addresses this issue in every budget year.
2. The Town should start planning for a permanent office in the future for the Mayor and the board members to utilize to meet constituents.
3. The Town should appoint an annexation task force to make recommendations to the Town Board regarding potential future voluntary annexations into the Town of Pittsboro and areas where it may make sense to close donut holes and/or gaps within the current town boundary. East Cornwallis Street is a prime example of a "donut hole" and Firetower Road is an area where the Town should engage the residents to ascertain whether there is a supermajority of support for annexation. In addition, the town should add itself to the state bill that exempts Pittsboro from the requirements of satellite

annexation altogether. Siler City is being added to the exempt list this session by our legislative delegation and it seems logical for Pittsboro to do the same.

4. The Town should consider appointing a task force regarding elections and the composition of the Town Board. More specifically, with future growth the Town may need to split into two precincts; should evaluate the merits of adding an extra board member and thus creating a seven member board with a vote for its presiding officer (Mayor); and if the board expands, whether it makes sense and is good public policy to have some board members elected from a district and others at-large.
5. With future growth upon us and the mechanism for adjusting county commissioner districts pegged to either an outdated 2010 census or a future 2020 census the Town should request that the County consider expanding its board to seven members with five members pegged to the existing districts and the additional two members being added as at-large members.
6. The Town should request that Chatham County purchase its potable water and connect to all points in and around town---especially to the south. (I have continued to recommend this option for many years and have yet to get an answer as to why the Town and County are not doing business together regarding our potable water.)
7. I understand that Chatham County has created the recreation version of a municipal fund which is a great first step; however, the Town should send a letter to EDC and Chatham County supporting the notion of a municipal fund that is a budget item in the county's budget that supports infrastructure projects in Goldston, Siler City and Pittsboro.
8. The Town should request a joint meeting with the County to discuss among a long list of items, how to fund and implement the downtown revitalization plan, co-locate facilities and conduct a joint facilities assessment. In addition, the Town may want to consider inviting the County to join its Downtown planning initiatives. Finally, if the County embarks on a facilities and asset study in and around Pittsboro the Town should be part of the study.
9. The Town should correspond with the EDC to recommend and/or appoint representatives to serve on the EDC's infrastructure sub-committee. I previously recommended former Mayor and Town Manager, Bill Terry. I am willing to serve on this committee as well.
10. The Town should consider monitoring water quality and flow in the Haw River, Robeson Creek, Turkey Creek and Stinking Creek as well as some of the other blue line streams in its corporate limits and ETJ in order to create a baseline of water quality information for public policy use.
11. The Town should re-evaluate whether it needs to stay in the RPO or move to the MPO.

Thank you for your time.

## COMMISSIONER UPDATES

Mayor Updates – Mayor Perry stated she submitted a memo board of people she had contacted with the State regarding 1,4 Dioxane in our drinking water. Mayor Perry spoke with:

Tiffanie Hawley of Division of Water Quality in Raleigh who referred her to her supervisor, Allen Hardee. Mr. Hardee referred her to Danny Smith who heads the Surface Water Quality Division. Allen Hardee spoke about the fact that 1,4 Dioxane is an Unregulated Contaminant. Currently, the EPA is testing selected areas of water courses. These tests are not being carried out by the State. The EPA is “eyeing” limits for 1,4 Dioxane, and is publishing a UCMR. Until the EPA establishes limits for 1,4 Dioxane in drinking water, the State will not regulate.

Mayor Perry spoke with Danny Smith, the Surface Water Quality Head and he told her that the Central Office is doing research on 1,4 Dioxane and they are working closely with NC State (headed by Detlef Knappe, who made a report to the Board last fall) which found the elevated 1,4 Dioxane in our drinking water.

Mr. Smith said part of the problem is that 1,4 Dioxane is found in many products, and it is difficult to tell whether it is coming from water, wastewater or industrial discharges. 1,4 Dioxane is even in toothpaste.

Mr. Smith said that Tammy Hill, who is coordinating a study on the monitoring in the western edge of Raleigh Water Region. She is an Environmental Science Water Resources expert. She has been discussing this problem with public officials. She will know more about the study, the monitoring and the sampling locations and that he would be glad to arrange a face-to-face meeting between him, Tammy Hill and representatives from Pittsboro to answer questions.

Commissioner Bonitz thanked the Mayor for all of her research and mentioned an article in the Washing Post where Pittsboro was the date line for the article. He said at the very end of the article Steve Drew stated in the absence of limits what is a Town to do.

Mayor Perry said she worshipped with Hamlet Chapel CME Church on their 150<sup>th</sup> Church Anniversary this past Sunday.

- EDC
- RPO
- Fairground Association
- PBA/Downtown – Commissioner Fiocco said John Fugo (building shopping center north of Russett Run) spoke to the PBA. He will be incorporating in his shopping center small space that could house second locations for some downtown businesses at a reasonable cost.
- Triangle J Council of Governments
- Main Street – Commissioner Fiocco said Doug Emmons is taking the lead on research to become a non-profit.
- Climate Change – Commissioner Bonitz stated they had a lot of deliberation over what data to use with baseline. A group from UNC will complete it by October or November.

Commissioner Bonitz presented some findings from Amanda Campbell (2012 data) that suggested because of extensive agricultural and forestry here in Chatham County the net pollution gases are absorbed by our extensive agricultural and forestry.

Commissioner Foley said she attended the Grand Opening of the Arts Council's new facility located one block west of the courthouse and she attended the Chatham Park meeting.

## **OLD BUSINESS**

### **REQUEST TO REZONE 196 HILLSBORO ST FROM R-12 (MEDIUM RESIDENTIAL) TO O&I (OFFICE INSTITUTIONAL) (REZ-2016-02) (JEFF JONES)**

Planning Director Jeff Jones property owner Atlas Boone is proposing to rezone approximately .84 acres, 196 Hillsboro Street, from R-12 (Medium Residential) to O & I (Office Institutional).

Mr. Jones went over the staff analysis. He reported the Planning Board recommended to Deny the rezoning at their June 6, 2016 meeting.

Planning Director Jeff Jones read a portion of the Consistency Statement:

I move that the Town of Pittsboro Planning Board finds, advises and comments to the Town of Pittsboro's Board of Commissioners, we find that the proposal is consistent with the Town of Pittsboro's Comprehensive Plan including the Land Use Plan and other applicable plans and Policies adopted by the Town of Pittsboro. However, the Planning Board finds that the rezoning Is not consistent with the future goals and visions of the Planning Board. The Town of Pittsboro's Planning Board recommends that the Town of Pittsboro Board of Commissioners direct staff to move expeditiously to correct the Land Use Plan on the eastern side of Hillsboro Street between Thompson Street and Chatham Market Place.

After discussion, a motion was made by Commissioner Foley seconded by Commissioner Baldwin to adopt the Planning Board's Consistency Statement.

Vote Aye-5 Nay-0

Commissioner Foley thanked the Planning Board for their good work on this matter.

Motion made by Commissioner Baldwin seconded by Commissioner Farrell to deny the rezoning request for 196 Hillsboro Street (Atlas Boone)

Vote Aye-5 Nay-0

Mr. Jones stated staff will begin work on this matter and hopefully can bring something back in a couple of months.

**A RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO 196 HILLSBORO STREET (BOONE PROPERTY) IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 119**

**A RESOLUTION DENYING AN APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE – 196 HILLSBORO STREET (BOONE PROPERTY) IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 120**

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

Planning Director Jeff Jones stated the application of a Preliminary Plat from the Orange Development Group, LLC was heard on September 28, 2015 by the Town Board of Commissioners. A motion to approve the Preliminary Plat for 9 lots was made and seconded by the Board of Commissioners. The subsequent vote was two (2) Commissioners in favor of the motion and three (3) Commissioners not in favor of the motion to approve. The motion then failed. The Board of Commissioners offered no further motions. It is the staff and Attorney opinion that the Town Board of Commissioners did not take a vote of denial of the project, thus the project is coming back to the Town Board of Commissioners to revisit the request.

Planning Director Jones stated all the previous information were included in this agenda packet. Can be viewed at [http://pittsboronc.gov/index.asp?Type=B\\_BASIC&SEC={F648A9BA-F689-42B3-85D4-D7DF405FA4F6}&DE={68749533-FBFD-4B27-9FF4-E304365DD2F9}](http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={F648A9BA-F689-42B3-85D4-D7DF405FA4F6}&DE={68749533-FBFD-4B27-9FF4-E304365DD2F9})

After discussion, Commissioner Fiocco stated he would like to see pre and post 100 years storm study. He knows it is not in our requirements but it is something he would like to see. He asked the applicants if they would provide that information and they agreed.

Motion made by Commissioner Bonitz seconded by Commissioner Fiocco to table this matter until the pre and post 100 years storm study have been completed.

Vote Aye-5 Nay-0

**SIGNS ON UTILITY POLES (JEFF JONES)**

Planning Director Jones said the unfortunate dilemma the Town faces in regulating these type of signs is finding those responsible for placing the signs on the utility poles and/or the business and events that the sign are advertising. He has noted that most of the signs advertise events outside of Town.

Mr. Jones said the most effective way to rid the utility poles of signs is for the Town to devote staff hours removing the signs on a daily/weekly basis. The Town could further educate local businesses that may use this type of advertising that this is an illegal practice. We could also work with the Pittsboro Business Association to educate their members of this illegal practice. The Town has also discussed placing kiosks around the downtown area to help people advertise businesses and events if they wish.

Mr. Jones said during the UDO process they are looking for ways to add provisions that specifically regulate this practice and ways to enforce the ordinances.

Mayor Perry said she has corresponded with Duke Energy Progress and they prohibit posting of signs on their poles. They do not police the poles though and leave the enforcement up to counties and municipalities.

Mayor Perry said most of the signs are put up by posterguy.com.

There were discussions after which Mr. Jones asked that the Board let him talk to the sign guy as the first step. He will also come up with an ordinance.

## **NEW BUSINESS**

### **DISCUSSION ON FORMING A COMMUNITY COMMITTEE FOR THE CHATHAM PARK PROJECT**

Mayor Perry read the following into the public record:

We all want to unite our community around the Chatham Park Project.

Since we now have the Additional Elements, and hope to have the Small Area Plans soon, I propose a Community Committee to aid in communication, understanding and collaboration. Let us start a conversation about such a Committee.

This proposed Committee could be composed of #\_\_\_\_ (to be decided) members appointed by the Board and Mayor. Committee members should be experts in the various fields addressed in the Additional Elements. For example, Harvey Harmon of Habitat of Humanity has expressed a willingness to serve as the Affordable Housing liaison/component of the Committee.

We know that our community has a wealth of expertise. We need them to assist us, to be additional eyes, ears and voices for this important project. We cannot do this alone. We want to include positive, forward thinking experts to bring understanding and balance. We do not need any more conflict. We need to move forward together.

The Committee would be asked to meet, study, observe, suggest and report to the Board. Staff member(s) may be asked to attend Committee meetings, supplying regulatory/administrative expertise, but we recognize that staff is already pressed. This is something to consider. Another consideration: asking member(s) of Chatham Park to have a seat at the table. All meetings will be open to the public and advertised widely. The Committee shall be a deliberative body, making recommendations to the Board. Those recommendations will be seriously considered by the Board, may be fully or partially incorporated into the plans, but will not be binding on the final decisions.

The Committee should be balanced. No member shall be appointed who advocates for the delay and defeat of Chatham Park. As we have often said, Chatham Park is here. Our job is to improve upon the project, and to work together to place a distinctly Pittsborian flavor on the project, while preserving and protecting what we love most about our Town.

If the board believes that pursuing this Committee is worthwhile, could we discuss the broad brush of this vision at tonight's meeting. Additionally, we need to be thinking of community people (inside and outside the Town limits) to bring needed expertise and balanced judgment to the Committee's deliberations.

Commissioner Bonitz feels we need more professionals looking at the documents. Commissioner Foley said she would like for people that live in the community to review because consultants do not know the working of the community.

Planning Director Jones said he has had several people from the community helping him to review documents already. The board thought that was excellent and said they will think of others that may be willing to serve.

### **RECESS**

Motion made by Commissioner Bonitz seconded by Commissioner Foley to take a five minutes recess.

Vote Aye-5 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to go back in regular session.

Vote Aye-5 Nay-0

### **BUDGET WORKSHOP**

#### **REVIEW PROPOSED TOWN OF PITTSBORO FY 2016-2017 ANNUAL OPERATING BUDGET (BRYAN GRUESBECK; HEATHER MEACHAM)**

Manager Gruesbeck went over some changes made after the last meeting. The Board can schedule additional meeting or at the June 27, 2016 make corrections and approve.

#### **General Fund**

- ABC Revenues – increased by \$34,734 to be in line with ABC budget
- ABC Revenues (Law Enforcement) – decreased by \$1,773 to be in line with ABC budget
- Fund Balance Appropriated – decreased by \$3,605 to balance general fund

#### **Administration**

- Retirement – increased by 0.08%
- Professional Services – increased by \$5,000 for actuary for retirement analysis

#### **Engineering**

- Retirement – increased by 0.08%
- Office Space Lease – decreased by \$1,500 to reflect breakdown between departments

#### **Planning**

- Retirement – increased by 0.08%
- Professional Services – decreased by \$15,000 due to reanalysis of outstanding contracts for planning
- Office Space Lease – decreased by \$1,500 to reflect breakdown between departments

#### **Public Works**

- Retirement – increased by 0.08%

## Recreation

- Retirement – increased by 0.08%
- Office Space Lease – decreased by \$1,500 to reflect breakdown between departments
- Capital Outlay – Equipment – increased by \$6,085 to reflect grant from Chatham County
- Main St/Downtown – increased by \$15,000 to fund downtown events.

## Chatham Park

- Salaries – decreased by \$10,000 to reflect salary of Planner II position
- FICA, Retirement, Special Retirement – decreased as a result of decrease in salary amount
- Professional Services – increased \$60,000 due to increase in amount for Summit to cover water tower and road inspections and adjusting for existing contracts that are carrying over until next year
- Contracted Services – decreased \$5,000 to cover existing contracts
- Office Space Lease – increased by \$348 to reflect breakdown between departments

## Enterprise Fund

- Added line for Transfer from Capital Reserve – increased by \$60,000 to cover the Interconnected Water Study with Chatham County and the Sewer Asset Management Plan

## Administration

- Retirement – increased by 0.08%
- Contracted Services – increased by \$35,000 – this is a result of the Interconnected Water Study with Chatham County and Sewer Asset Management Plan

## Water Treatment

- Retirement – increased by 0.08%

## Wastewater Treatment

- Retirement – increased by 0.08%
- Contracted Services – increased by \$5,000 to cover existing contracts

## Public Utility Maintenance

- Retirement – increased by 0.08%
- Capital Reserve Expenditures
- Added line – Transfer to Enterprise Admin – increased by \$60,000
- Reserve for Water and Sewer Improvements – decreased by \$60,000

Commissioner Fiocco said there is only \$15,000 in Main Street line item and he wants to see \$30,000 to help promote downtown.

Commissioner Farrell said he has a problem with funding Main Street \$30,000.

After discussion about the Main Street line item, the board requested a break out of expenses for event to account for \$30,000.

Commissioner Bonitz said maybe the ABC Board doing some educational training on alcohol and drugs would be timely since the death of two local teenagers. He was told that education is a part of their budget.

Manager Gruesbeck said the Police Department does that a lot out in the community, especially at community events.

Commissioner Farrell stated he liked what Mr. Voller said about the Board's salary. He would like to see it as a flat monthly amount. There was a discussion about the board's salary. After discussion, staff were asked to bring back salaries for Town of Siler City Board of Commissioners.

Manager Gruesbeck said he had that information and would provide it to the Board.

## **ADDITIONAL UPDATES AND REPORTS**

### **MANAGER'S UPDATE ON PROJECTS**

Manager Gruesbeck highlighted the Manager's Update Report submitted in the agenda package as follows:

**Chatham Park PDD Master Plan: Sanford Force Main** – They will be meeting tomorrow. On May 24, 2016, Mr. Messick, Town Attorney, Fred Royal, Town Engineer and Mitch Bruglio, Davenport & Co and I met with representatives Sanford's Staff, Mayor and representatives from Chatham Park regarding possible terms of an intergovernmental contract to send wastewater from Pittsboro to Sanford's Big Buffalo Wastewater Plant. From the Town's perspective, we are seeking to structure a rate that is reflective of the amount of wastewater actually sent to the Sanford WWTP, as opposed to a usage fee plus an additional payment to help retire Sanford's WWTP construction debt. Staff and Davenport and Co also met with representatives from Chatham Park and the State Local Government Commission (LGC) on June 2, 2016 to update them on the project and discuss terms of Chatham Park's guarantee or underwriting of the State Revolving Fund loan. Heather Meacham, Town Finance Director and I met with Ted Cole and Mitch Bruglio on June 6, 2016 to develop the Sanford force main usage fees and will be sharing additional discussion via conference call on June 10, 2016.

**Planner II Hired** – Now that the Planning Department is located in its new and bigger location, I am pleased to welcome Victoria Bailiff to our talented and growing staff. Victoria comes to Pittsboro from the City of Lexington where she assisted with site plan review, managed data for their Land Use Plan Update and produced a Small Area Plan for the proposed redevelopment of an industrial district. Victoria also interned with the City of Winston-Salem Planning Department where she assisted their Historic Resource Staff. She earned a BS in History from NC State and a Masters of Arts in Applied Geography from UNC Greensboro. Ms. Bailiff has a tremendous attention to detail and will be instrumental in providing customer support to a busy Planning Department. Her tentative start date is June 27, 2016. The Planner II is a new position that was budgeted in FY 2015-2016.

**Water Treatment Plant (WTP)** – Adam Pickett, Water Treatment Plant Supervisor was recently notified that the Town’s has been granted a reduction in monitoring from quarterly to annual for “SIMAZINE (2037)” effective immediately. The Town will continue to monitor other “synthetic organic chemicals” but this is evidence of continuous improvement at our WTP. Mr. Pickett estimates a savings of approximately \$1,000 in reduced lab costs.

**Tennis Courts Resurfaced** - The Town tennis courts near Pittsboro Elementary School were given a much-needed facelift a couple weeks ago. Much thanks is due to Paul Horne, Parks Planner for completing this budgeted project.

**Office Remodel** – Work on the former copy room and break room continued over the past few weeks with the completion of electrical work and drywall. Remaining tasks include painting and carpeting.

Manager Gruesbeck stated the stormwater system in front of Town Hall should be complete by the end of the week.

Commissioner Bonitz said he is interested in learning more about the meeting with LGC. He asked if the terms with CP are in draft form. Manager Gruesbeck said he has a draft Interlocal agreement with Sanford.

Attorney Messick stated Chatham Park is working on the Development Agreement that will be in effect for the whole project. Financing of this loan is a separate agreement and we have to get an agreement worked out with Sanford first.

Commissioner Bonitz said he is interested in seeing modeling from and independent sources of how the money comes and goes. Manager Gruesbeck said we have that.

### **COMMISSIONER CONCERNS**

Commissioner Farrell said people are really enjoying the tennis courts.

Commissioner Fiocco stated the tennis courts look great. He is happy that Powell Place paving has taken place.

Commissioner Fiocco said where the LDS church is under construction there has been open burning going on. He said Town ordinance said open burning is prohibited during such periods as the same by be prohibited in Chatham County by the North Carolina Forest Service. He suggested just removing everything after the word prohibited.

The board agreed to look into this at the next meeting.

Commissioner Bonitz said he hope we move forward with the professional review of the Additional Elements. He stated the fact that we got written up in the Washington Post about 1,4 Dioxane has brought to mind switching sources (from Haw River to Jordan Lake).

Commissioner Foley and Commissioner Baldwin said Jordan Lake is worse than the River.

There was a discussion on interconnectivity with Chatham County.

**CLOSED SESSION**

Motion made by Commissioner Fiocco seconded by Commissioner Foley to go into closed session pursuant to NCGS 143-318.11(a)(5) to discuss the purchase of real estate.

Vote Aye-5 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to come out of closed session.

Vote Aye-5 Nay-0

**ADJOURNMENT**

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to adjourn at 11:15 pm.

Vote Aye-5 Nay-0

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Cindy S. Perry, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC  
Town Clerk