

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, MARCH 25, 2013  
7:00 PM

Mayor Randolph Voller called the meeting to order and asked for a moment of silence.

**PLEDGE OF ALLEGIANCE**

Mayor Voller said the next item is on the agenda at the request of Commissioner Farrell. Mayor Voller asked that he lead the Pledge of Allegiance and tell why he wanted it on the agenda.

Commissioner Farrell said he would be glad to lead it. He stated we live in one of the finest countries in this world and this is the least we can do for our nation.

Commissioner Fiocco stated he must admit he is concerned with it, he doesn't disagree with anything Commissioner Farrell said he just doesn't know that it is important to the Town's business.

Commissioner Fiocco stated everyone on the board has taken an oath of office to uphold the constitution and laws of the United States and this State. He said one of his concerns is he don't know that a show of patriotism that is required in this arena he thinks it is expected.

Commissioner Fiocco said he thinks there is the potential to a certain degree to disenfranchise people who are not citizens of the United States who are in this room on town business, who obviously would not take an allegiance to the United States of America. He has a problem going through the motion of that because he doesn't know if it is very valuable.

Commissioner Baldwin said she didn't have a problem with it and Commissioner Turner stated she doesn't have a problem with it and everyone does it in schools were everyone is not a citizen either.

Commissioner Fiocco said he would respect the will of the Board.

Mayor Voller stated they do the Pledge of Allegiance at the Democratic and Republican Party meetings and that he is not opposed to doing it.

Commissioner Farrell stated for the record that the Chatham County School Board and Chatham County Board of Commissioners use the Pledge of Allegiance at the beginning of their meetings.

Motion made by Commissioner Farrell seconded by Commissioner Baldwin to add the Pledge of Allegiance to every agenda starting tonight.

Vote Aye-3 Baldwin/Farrell/Turner  
Nay-1 Fiocco

Commissioner Farrell led the Pledge of Allegiance.

### **ATTENDANCE**

Members present: Mayor Randolph Voller, Commissioners Pamela Baldwin, Jay Farrell, Michael Fiocco and Beth Turner. Commissioner Bett Wilson Foley excused absence.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., and Planner Stuart Bass.

### **CONSENT AGENDA**

Mayor Voller made the following corrections to the March 11, 2013 minutes on page 20 – paragraph 6 should read “He said the moment of silence is in compliance with the fourth circuit court.” and the last paragraph should read .....said he doesn’t think....

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the consent agenda as presented with the corrections made by Mayor Voller to the March 11, 2013 minutes.

The Consent Agenda contains the following items:

1. Approve minutes of the March 11, 2013 regular meeting with the above corrections.

Motion carried 4-0

2. Approve Springdale Drive Intersection Bid Recommendation.

Motion carried 4-0

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the regular meeting agenda as presented.

Vote Aye-4 Nay-0

### **REGULAR MEETING AGENDA**

## **CITIZENS MATTERS**

Dan Augustine – 507 E. Street was present to talk about live music at Bella Donna's. He stated he is proposing an event called "Rock the Lot" which he has done before under a different name. He said Bella Donna is expected to open soon.

Mr. Augustine said they are going to build a stage in the back corner of the lot. He already has reclaimed the wood from a building they dismantled and put back there in order to make the stage totally green with the use of that wood and fallen cedar trees that have been given to them.

Mr. Augustine said he has contacted the State ABC Commission and was advised that they would need to provide a fence and single entrance/exit point connecting the music area to the restaurant. The fence is needed so cars cannot go back and forth where the people are.

Mr. Augustine asked if a permit is required to building the stage. Planner Bass stated he is not the authority over the building department. He would need to contact the county. Mayor Voller said he would need to come to the town for a zoning compliance permit and then go to the county.

Mr. Augustine said he would like to be able to get an annual permit from the Town instead of having to get one for each performance.

Mayor Voller said this had been an issue in the past with City Tap having to come apply for the permit each week.

Attorney Messick said if a change is going to be made to allow an annual or seasonal permit an amendment would have to be made to the ordinance.

Mr. Augustine also said he felt the sound level allowed was very low and he thinks that needs to be addressed also. He said he would meet with all the adjoining neighbors to make sure the sound level was acceptable to them. Mayor Voller said previously the levels were checked at the building and it should be done at the property line.

Commissioner Baldwin said there had been some complaints about the noise level at the City Tap and she said this is something the town should investigate.

The Board asked Mr. Augustine to talk with the Town Manager, Mr. Gruesbeck and Town Planner Stuart Bass about the steps to this process.

## **PUBLIC HEARINGS**

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

Vote Aye-4 Nay-0

**TEXT AMENDMENTS: ZTA-1013-01 (PLANNED DEVELOPMENT DISTRICT) AND  
ZTA-2013-02 (ASSOCIATED AMENDMENT TO THE SUBDIVISION ORDINANCE)**

Planner Bass said these are two associated text amendments. The first one creates a new zoning district and the second one is a minor change to the Subdivision Ordinance. He stated the purpose of this district is that it allows a lot of flexibility. He stated these amendments were submitted by Chatham Park, LLC in anticipation of future development.

The public hearing was held on the following:

**PROPOSED NEW PLANNED DEVELOPMENT DISTRICT (PDD)  
TEXT OF THE PROPOSED ORDINANCE AMENDMENT**

*(Items in italics are instructions and not part of the proposed text. Text is now presented as it would be placed in specific sections of the Zoning Ordinance, June 2012)*

**ARTICLE IV**

**4.1 Zoning Districts**

*(Add the following to the list of zoning districts.)*

**PDD Planned Development District**

**ARTICLE V**

**5.1 Description of Districts**

*(Add the following section.)*

**P. PDD Planned Development District**

This district is established and intended to promote innovative land planning, design and layout of large development projects that may not otherwise be permitted under general zoning district standards, subdivision regulations, or other development requirements. (The words "standards", "requirements", and "regulations" are used interchangeably in Article V when referring to development standards). The PDD district promotes innovative land planning, design and layout by:

- (1) Reducing or eliminating the inflexibility that sometimes results from strict application of zoning and development standards or regulations that were designed primarily for individual lots;
- (2) Allowing greater freedom in selecting the means to provide access, light, open space, and design amenities;
- (3) Allowing greater freedom for a broad mix of various land uses in the same development;
- (4) Promoting quality urban design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses;

(5) Encouraging quality urban design by allowing higher densities when such increases are supported by superior design or the provision of additional amenities; and

(6) Advancing public health, safety and general welfare.

In return for greater flexibility, planned developments in this district are expected to deliver communities of exceptional design, character and quality that preserve critical environmental resources and provide open space amenities. Such communities incorporate creative design in the

layout of buildings, open space, and circulation; assure compatibility with surrounding land uses and neighborhood character; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. Because flexibility is essential for the development of such communities, variations from otherwise applicable regulations and standards may be granted with the adoption of the required Planned Development District Master Plan (PDD Master Plan).

#### 5.2.2 NOTES TO THE TABLE OF PERMITTED USES

*(Add the following section.)*

##### NOTE 10. Planned Development Districts (PDD)

A Planned Development District may contain any use listed in the Permitted Use Table (Section 5.2.1) and specified in the approved PDD Master Plan. All uses that are set out in the approved PDD Master Plan shall be treated as a "Use by Right" within the PDD, including those identified in this ordinance as "permitted by right" and those "permitted by SUP (Special Use Permit) only." The PDD Master Plan shall establish the general locations for permitted uses. The permitted uses may vary for different areas or phases of the PDD Master Plan. The PDD Master Plan shall identify the total number of residential units and the maximum square footage for non-residential uses. The form for

presenting these quantities shall be determined by the applicant, but the form shall be clearly presented and easy to track. If the measure used includes density, gross density is the applicable standard. (Gross residential density is defined as the total number of dwelling units divided by the total acreage in the PDD. Gross non-residential density is defined as the total square footage of non-residential uses divided by the total acreage in the PDD.) The identified quantities for both residential and non-residential uses may be moved between or within areas or phases shown in the PDD Master Plan so long as neither the maximum number of residential units nor the maximum square footage for non-residential uses in the PDD Master Plan is exceeded.

For uses listed as "permitted by SUP (Special Use Permit) only" in the Table of Permitted Uses and included as permitted uses in the PDD Master Plan, the PDD Master Plan will establish the development standards to mitigate, if necessary, the impacts of each such use, especially with regard to property adjacent to the PDD.

#### 5.4.1 NOTES TO THE TABLE OF AREA, YARD AND HEIGHT REQUIREMENTS

*(Add the following section.)*

#### NOTE 15. Planned Development Districts

(a) Development standards established by the approved PDD Master Plan shall be the applicable development standards within the PDD. Such standards may include, but are not limited to, building height, building separations, building setbacks, lot size, yard, buffer and landscape requirements or other development standards. Except as otherwise provided by the approved PDD Master Plan, property within an approved PDD shall be subject to all applicable regulations, subdivision plan approvals, site plan approvals, and other permits and approvals required by Town ordinances.

(b) Development in a PDD district is subject to applicable overlay district regulations unless amended, waived or modified in accordance with the terms of the approved PDD Master Plan.

(c) The development standards within the PDD may be varied for and within different areas or phases of the PDD. Such variations in standards shall be identified in the PDD Master Plan.

*(Add the following section.)*

#### 5.8 PLANNED DEVELOPMENT DISTRICT (PDD)

5.8.1 The PDD is a base-zoning district, not an overlay district. Except as modified by specific procedures set forth herein, a PDD zoning district shall be established through the process for rezoning property pursuant to the procedures for a "General Use" rezoning as contained in Article X of this ordinance. An application to rezone to a PDD must be signed by the property owner(s) or agent of the owner(s).

The Town Board of Commissioners may recommend revisions or additions to a proposed PDD Master Plan, or to a proposed amendment to a PDD Master Plan, that promote the intentions of the Planned Development District identified in Section 5.1.P of this ordinance. The applicant, at any time prior to the Board's vote, may amend a proposed PDD Master Plan, or a proposed amendment to a PDD Master Plan.

##### 5.8.2 Size of a PDD

A PDD shall be one hundred (100) acres or more in size.

##### 5.8.3 Required PDD Master Plan

Submittal of an application to rezone property to a PDD shall include submission of a Planned Development District Master Plan (PDD Master Plan). The PDD and the PDD Master Plan shall be treated as a single item when acted on by the Board of Commissioners. The form and elements of the PDD Master Plan are listed below.

The PDD Master Plan shall include the following:

- a map, including parcel numbers, showing the parcels proposed for the PDD (County GIS maps are adequate);

- a topographic map(s), for the property included in the proposed PDD (County GIS maps are adequate);
- a list of permitted uses proposed in the PDD;
- the general locations of the proposed uses;
- a summary of the amount, quantity, or gross density of those uses proposed in the PDD;
- a map(s) showing the locations of water bodies appearing on USGS or NRCS Soil Survey maps within or adjacent to the boundary of the proposed PDD;
- a map(s) showing the locations of wetlands, stream buffers, the 100 year floodplain, and slopes greater than 20%;
- a utility plan that includes the type and general location of the following existing and proposed public utilities:
  - Water
  - Wastewater
  - Reuse water;
- A general plan addressing stormwater within the proposed PDD;
- A public service plan for the PDD that evaluates potential impacts on:
  - Police service
  - Fire service
  - Schools;
- A multi-modal transportation plan for the PDD that includes:
  - The location of existing and proposed major roads in and adjacent to the PDD;
  - A general plan for an on-site transportation system that addresses vehicular, bicycle, transit and pedestrian circulation;
  - The location of known historic structures or sites within the PDD;
- A recreation and open space plans that includes the locations and standards for greenways, open spaces, and recreation areas within the PDD;
- A boundary buffer plan showing transition treatments between the proposed PDD and adjacent properties;
- Proposed land development standards/regulations for the PDD; and,
- A plan for development phasing within the PDD.

Further explanations of some of the foregoing required elements are listed in Sections 5.2.2, Note 10; 5.4.1, Note 15; and 5.8.4 through 5.8.8 below. In addition the applicant may choose to include other items or plans. The elements of the PDD Master Plan may be presented in various forms and can include any combination of text and illustrations deemed appropriate by the applicant. The forms chosen should clearly illustrate the element of the PDD Master Plan being presented.

#### 5.8.4 Land Use Mix

(a) A mix of land uses is expected in the PDD zoning district. The PDD Master Plan shall identify how uses will be mixed within the PDD. Uses may vary for and within areas or phases of the PDD and it is acknowledged that the mix of uses may need to change over time.

(b) Planned developments containing both residential and nonresidential uses shall be designed, located, and oriented on the site(s) so that non-residential uses are accessible to residents of

the development. In general, the proposed development shall provide for connectivity of land uses through a network of roadway improvements and pedestrian sidewalks and/or trails and/or bicycle facilities, the final layout of which will be determined as specific site plans or subdivision plans are approved.

#### 5.8.5 Utility, Stormwater and Public Service Plans

The PDD Master Plan shall identify the types and locations of existing public utilities and public services (police, fire services, and schools) within the PDD. Additionally, proposed facilities included in the Town's Capital Improvement Program or County Schools Plans shall be identified.

Adopted municipal plans related to public water, wastewater, reuse water and stormwater shall also be identified. The PDD Master Plan shall consider how these facilities, utilities, and services, both existing and planned, might be used or incorporated into development of the PDD. The PDD Master Plan may propose revisions, alternatives, and/or clarifications to these plans. These plans will, by necessity, become more specific as development progresses. In addition, the PDD Master Plan shall include a timeline or phasing plan, so that public infrastructure is installed as needed to serve the PDD. The installation of utility infrastructure shall not be required before it is needed to service property subject to the PDD Master Plan.

#### 5.8.6 Multi-modal Transportation Plan

The PDD Master Plan shall include an on-site transportation system plan addressing vehicular, bicycle, transit and pedestrian circulation. The PDD Master Plan shall show the location of existing and proposed major roads within the PDD as shown in the adopted Town Comprehensive Transportation Plan. To the extent practicable, the on-site transportation system shall be integrated with the off-site transportation system shown on the adopted Town Comprehensive Transportation Plan. The PDD Master Plan may propose revisions, alternatives, and/or clarifications to this plan. A traffic impact analysis (TIA) is not required for the approval of a PDD. The installation of transportation infrastructure shall be required in developing areas of the PDD only as needed to serve those portions of the PDD.

#### 5.8.7 Greenways, Recreation Space, and Open Space

##### (a) General Requirement

The general location and proposed amount or lengths of greenways, open space and recreation space, shall be identified in the PDD Master Plan. The open space within a PDD shall contain areas for both active and passive uses. Open space may include active and passive recreation areas, including "community recreation areas" as defined in the Town's Subdivision Regulations and may be used to satisfy the requirements for such recreation areas. The PDD Master Plan, or subsequent agreements, may provide for restrictions on the Town's ability to sell land dedicated for community recreation areas. The PDD Master Plan shall consider adopted Town plans for greenways, recreation space, and open space, but may propose revisions, alternatives, and/or clarifications to this plan.

##### (b) Conservation and/or Preservation Areas

The PDD Master Plan may provide for utilization of portions of the PDD that are subject to conservation easements or otherwise set aside for preservation, to satisfy Town requirements for open space and/or recreation.

(c) Management of Greenways, Recreation and Open Space

Because these areas may be placed under the control of a public entity such as the Town, or a private entity, such as a property owners association, the PDD Master Plan shall identify which areas are to be public and which are to be private. The PDD Master Plan shall include a management plan for those areas that will be privately controlled addressing long-term maintenance responsibility for these areas.

5.8.8 Landscaping, Transitions, and Buffers

(a) Compliance with General Landscaping Requirements

Landscaping shall comply with the standards of Article XVIII of this ordinance, except that variations from or modifications to these standards may be permitted in accordance with the PDD

Master Plan or when a site plan or subdivision plan is presented for approval. The proposed landscaping should ensure compatibility with land uses on surrounding properties, create attractive streetscapes and parking areas, and be consistent with the urban design objectives and/or character of the PDD.

(b) Perimeter Boundary Transitions

The PDD Master Plan shall address transitions between land uses along the perimeter boundary of the PDD and dissimilar land uses on properties adjoining the perimeter boundary of the PDD. These boundary transitions may include buffers, specific compatible land uses, and/or other transitions. These boundary transitions may be varied over their length and/or width.

(c) Internal Transitions

No buffers or transitions are required between land uses within the PDD.

5.8.9 Interpreting the PDD Master Plan

The Town Manager, or Town Manager's designee, is authorized, when necessary, to interpret the development standards and/or plans contained in the PDD Master Plan. In such cases, the interpretation should be applied in a way that most closely meets the original intent of the PDD Master Plan.

5.8.10 Amendments to the PDD and PDD Master Plan

Both the Planned Development District (PDD) and the Planned Development District Master Plan (PDD Master Plan) may be amended by the approval of a request to the Town Board of Commissioners. Amendments requiring a rezoning shall follow the process for rezoning property pursuant to the procedures for a "General Use" rezoning as contained in Article X of this ordinance, except as modified by specific procedures set forth herein.

(a) Amendments Requiring Rezoning

- Additions or deletions of land that is subject to the PDD
- Additions to the uses permitted or changes to their locations
- increases in the total number of residential units /'

- Increases in the maximum square footage of non-residential uses
- Reductions in the width of or standards of the treatment in boundary buffers, other than those allowed by Article 5.8.9
- Reductions in the amount of recreation or open space
- Changes to the development standards in the PDD Master Plan

(b) Other Amendments

Other amendments to, or revisions of, the approved PDD Master Plan including, but not limited to, revisions of the utility plan, stormwater plan, circulation plan, or phasing plan, shall not be subject to a rezoning. The Town Manager is authorized to approve these amendments. Such amendments should meet the original intent of Section 5.1P of this ordinance.

Proposed Amendment to the Town of Pittsboro Subdivision Regulation

*Add the following to the existing Subdivision Regulations:*

**SECTION 9. DESIGN STANDARDS FOR A PLANNED DEVELOPMENT DISTRICT**

Design standards set out in these subdivision regulations may be waived for Planned Development Districts (PDD) provided that the intent of these regulations is not nullified or lessened and provided that sufficient proof is given substantiating the adequacy of the alternative design. An approved Master Plan for a Planned Development District shall constitute sufficient proof to substantiate, the adequacy of the alternative design, and the development standards in the Master Plan shall be the development standards for that Planned Development District.

**PUBLIC COMMENTS:**

Philip Culpepper – 100 Weston Est. Way, Cary stated the reason for doing a new zoning district is so they can come before the board with a plan that will give them the best project they can possibly get. He said rather than make amendments to the current zoning ordinance it is better to just create a new district. They need flexibility so that over the years to come they can adjust to the market trends.

Mr. Culpepper said this is the first step in the process – creating a zoning district and then they will apply for the zoning classifications, submitting a Master Plan with that and get the board's approval and quickly follow that up with a development agreement that legally binds all of this together. The development agreement process has been used a couple of times in the state.

Mr. Culpepper stated with this ordinance they are trying to create certainty for the project and for the people who are impacted by the project.

Mr. Culpepper stated the Master Plan will not be the final development plan, the Master Plan is more like the Land Use Plan because as it stands right now they will still have to do subdivision and site plan approvals. That is something that will continue. They are creating the frame work

for all of this but they will be coming back to the Board for development approval. The Development Agreement can change that procedure somewhat and make it easier for the board, it may give more authority say to an overriding property owners association to come in and say these are our recommendations for approval for this.

Mr. Culpepper said right now they are looking at a zoning classification creating flexibility but that also creates enough assurance so the people involved and staff know what's coming. Hopefully they have done that with this ordinance. A lot of work has gone into it. It has been reviewed with staff and Commissioner Fiocco has offered comments which they incorporated into it.

Commissioner Farrell stated he is concerned about the mention of flexibility – is it going to be for Chatham Park or Pittsboro or is it going to be for both. Mr. Culpepper said he believes it is for both. They will have certain things stated such as the Master Plan must identify how many residential units you will have in your project. They are not asking for anything more than the ordinance now allows.

Mayor Voller asked of examples of other areas that have Planned Development Districts. Mr. Culpepper said he knew of Greensboro, Wake County and Cary.

Mayor Voller asked what he thinks we have learned from other developments. Mr. Culpepper said going too far nailing down a standard at the beginning of the process. (ref: parking at Powell Place). Commissioner Fiocco said everything was done according to the master plan that was approved.

Commissioner Fiocco said a lot goes into a successful Master Plan and that he likes the list of items included in the Master Plan.

Mr. Culpepper said the Master Plan will be the guide throughout the process and they wanted to make sure the Master Plan is something staff could handle (because of the size of staff). They will also submit an electronic copy of the plan as well as a hard copy. Establish standards by which he will submit a SUP request.

Commissioner Fiocco asked for clarification on what “Uses may vary for and within areas or phases of the PDD and it is acknowledged that the mix of uses may need to change over time” meant. Mr. Culpepper said it was for the unknown use that we don't have now.

Commissioner Fiocco asked if that would come before the board to add a use. Mr. Culpepper said yes, it would require a rezoning. He also stated they do have uses they will prohibit in the project.

Commissioner Fiocco asked are there assurances for folks that border the development that have made the investment that it will not change.

Mr. Culpepper said a reduction in buffers would require a rezoning if the buffer is established in the Site Plan/Master Plan. He referenced the following on page 8:

(a) Amendments Requiring Rezoning

- additions or deletions of land that is subject to the PDD
- additions to the uses permitted or changes to their locations
- increases in the total number of residential units
- increases in the maximum square footage of non-residential uses
- reductions in the width of or standards of the treatment in boundary buffers, other than those allowed by Article 5.8.9
- reductions in the amount of recreation or open space
- changes to the development standards in the PDD Master Plan

Commissioner Fiocco said it would require a rezoning and the person affected could speak out. Mr. Culpepper said that is correct.

Mayor Voller said if it is approved how soon it will be before you submit the rezoning request.

Mr. Smith said their plans were that the public hearing be held tonight, the ordinance will get approved in two weeks and in thirty days they would apply for rezoning. He said they are getting a lot of interest in the project. He said this is a thirty year or longer project and it will have changes over time.

Mayor Voller asked after they come forth with the rezoning request how long will it be before they request annexation. Mr. Smith said they will request annexation in pieces. The first would be the medical office building. Mr. Culpepper said that has already been annexed.

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

Vote Aye-4 Nay-0

**OLD BUSINESS**

**OFF-DUTY POLICE POLICY RECOMMENDATION**

Manager Gruesbeck stated in November 2012, the Board discussed a policy to regulate the use of Pittsboro Police personnel. At that meeting, the Board adjusted the budget to accommodate \$10,000 in revenue that the Town would earn for lending personnel to community and private functions. However, there is no record of the Board formally approving the actual agreement.

Commissioner Baldwin said Mr. Morgan presented the Budget Ordinance amendment but not the policy.

There was a discussion about why they are considered “off duty” when they are in uniform and driving a town vehicle. Commissioner Baldwin said that is because they are off duty from their shift work at the Police Department so they are available to work elsewhere.

Commissioner Baldwin said she has concerns about 3 (a) which read as follows:

Jobs which may be overly problematic based upon their history or general character will be subject to the premium rate. This determination will be made with discretion by the Pittsboro Police Department. The applicant will be notified, in advance, if a premium rate is applied.

Commissioner Turner asked how often we use off duty officers. Commissioner Baldwin stated they always use off duty officers at the fair ground and they would pay them directly.

Mayor Voller asked if we changed the policy on how equipment was rented. He doesn't recall the Board approving a change in policy. He feels the Police Department needs to be informed the policy was never approved.

Commissioner Fiocco said he is sure Chief Collins had a hand in creating that document and since we are close to hiring a new Chief maybe they should weigh in on the policy for off duty officers.

The Board agreed that was a good idea.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to table the Off Duty Police Policy until a new Chief is hired so they can help craft the policy.

Vote Aye-4 Nay-0

#### **NEW BUSINESS**

#### **RESOLUTION DECLARING APRIL 3, 2013 AS "NATIONAL WALK DAY" IN THE TOWN OF PITTSBORO**

Motion made by Commissioner Baldwin seconded by Commissioner Turner to approve the Resolution In Observance of Nation Walk Day in the Town of Pittsboro.

Vote Aye-4 Nay-0

The Resolution reads as follows:

#### **RESOLUTION IN OBSERVANCE OF NATIONAL WALK DAY**

WHEREAS, Chatham County residents are asked to get their walking shoes ready for special activities planned in celebration of National Walk Day on April 3, 2013; and

WHEREAS, the goal of National Walk Day is for people to improve their health by walking thirty (30) minutes a day; and

WHEREAS, in Chatham County there are ten (10) locations around the county providing special walking events on April 3, 2013.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro that April 3, 2013 will be:

### NATIONAL WALK DAY

in the Town of Pittsboro and we urge all our citizens to participate in this walk.

### **A RESOLUTION IN OBSERVATION OF NATIONAL WALK DAY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 153**

Mayor Voller recognized Marty Clayton, Progress Energy. Mr. Clayton said he would like to introduce Indira Everett formerly was the Project Manager within the organization. He stated Indira will be taking over responsibility for Chatham County.

Mr. Clayton said he is not completely leaving he will still be in the area but having day to day contact will be Indira. Indira's office is based in Durham and she has responsibilities for four counties Durham, Orange, Chatham and Lee and all the municipalities within those counties.

Mr. Clayton stated he has already advised Indira how much he thinks of the Town of Pittsboro and how we have worked together over the years and he knows Indira will continue to be involved and look forward to working with you.

Mayor Voller asked Ms. Everett if she would like to say anything. Ms. Everett said she looked forward to working with the Town in the weeks and months to come. She said it is her pleasure to serve you and to feel free to call her anytime. (She handed out business cards)

Mr. Clayton said he will be in Wake, Harnett and Johnston County. The Board thanked Marty for everything he has helped us with over the years.

### **CAPITAL PROJECTS REPORT**

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

Manager Gruesbeck made the following updates:

#### **HILLSBORO ST WATER MAIN TRANSMISSION LINE REPLACEMENT PROJECT**

Manager Gruesbeck said connections to individual water services should be complete by April 1. Following this, it will take an additional two to three weeks to provide the base asphalt resurface on Hillsboro. This surface will be milled in preparation for the top asphalt coat that will be provided by NCDOT sometime, hopefully, this summer.

Manager Gruesbeck said a number of services are not served by a single main, they are going to take care of the services they can and simply stub out laterals to businesses as they can. When we get to the point of doing a streetscape project downtown that is the time we will revisit connecting those services from the main to each business. That is the call made based on the timing of the project.

Commissioner Fiocco said if that is the case he would suggest that we get very good as built drawings and information on project.

Mayor Voller stated he assumes this is an interim solution.

Manager Gruesbeck said it is until we tear up all the sidewalks downtown. Many of these services are under the brick sidewalks.

Commissioner Fiocco said so for the “banks of service” you have a single truck line that is serving multiple taps if we are going to put in a new trunk line are we going to increase the size of the trunk line to accommodate the multiple users. Manager Gruesbeck said they will put in the size that is appropriate for it. He said some of this has to be determined but he has asked John Poteat to make sure to identify any services that absolutely cause a long term problem for us. If we are able to make the correction, that we go ahead and make those corrections now.

Mayor Voller asked what it would mean to the businesses. Are they getting good water?

Manager Gruesbeck said certainly there is an improvement with the construction of the new main and the new connections. There is a definite improvement in our system downtown.

Mayor Voller asked where we stand in regards to contingency with this project. This seems that it could be used for it.

Commissioner Fiocco said is it fair to say that everywhere that we are aware of that has a gang meter - a single lateral serving multiple meters in that situation we are putting in a new lateral to the main beyond the curb at which point all the other connections are made to the new lateral so the only thing old that's remaining for those services is between the meter and new service lateral.

Manager Gruesbeck said in the downtown area we are replacing the main, the lateral and he would need an account of the hardware that is going to be replaced in addition to the laterals. He said we are getting as close as we can to the old hardware.

Commissioner Fiocco said but all the gang meters the lines goes from the meter to the trunk line is the only thing that's going to remain that is old beyond the meter that's going into their building as well.

Manager Gruesbeck said yes, and we will replace the gang meter if we can get to them.

Commissioner Fiocco said everyone is going to have a new trunk line service to the main. Manager Gruesbeck said there is an improvement to service if that is what you are trying to get at. Mayor Voller said that is his main question.

Mayor Voller said he would like to get an estimate on it and hold it to the contingency.

Commissioner Fiocco asked if it was included in the scope. Mayor Voller said we need to find out if it was included in the scope.

Mayor Voller said there may be grant funds available for streetscape projects.

Commissioner Fiocco asked are we trying to get all of this done before the 20<sup>th</sup>. Manager Gruesbeck said that is not necessarily his goal but it looks like that's the way it is going to work out.

Commissioner Fiocco said if it was in the plan he thinks we should follow through with the plan. If it's not in the plan we are talking about a substantial change order which we wouldn't necessarily want to fund but if it was in the original plan and that's the goal of the project, he didn't think we should let an artificial time frame get in the way – we are already three months behind.

Manager Gruesbeck said the time frame was not the only factor there were several others.

Manager Gruesbeck said he should have an idea by the next meeting on how many we are dealing with.

### **IMPROVEMENTS ON 15/501 AT SPRINGDALE DRIVE**

Manager Gruesbeck said they will move forward and construction could begin as early as April 15. Paving and the construction of speed tables on Springdale Drive is expected during the week of March 25 or the middle of the next week because of the Easter holiday. Springdale Drive residents have been notified of the work. Work should be completed by the end of June.

### **CHIEF OF POLICE – HIRING PROCESS**

Manager Gruesbeck said the selection committee interviewed seven (7) candidates on March 20 and March 21 (a candidate withdrew before the interview). The Committee will meet again on March 28 to reduce the number of candidates to two (2) or three (3). At that point, he would like to ask the candidates to submit background information, a writing sample and meet with department heads. The process has been deliberate, but it has produced a good selection process to this point.

### **PLANNING / ENGINEERING SPACE**

Manager Gruesbeck said staff has been making arrangements for phone, computer networks and modifications to the cleaning contract in preparation for the move to 41 Fayetteville St. Parking

may have to be expanded in the rear of the building and realigned in the front. A date of May 1 has been set to complete the move.

### TOWN ENGINEER POSITION

Manager Gruesbeck said that Fred Royal (formerly of Brown and Caldwell) has been offered and has accepted the position of Town Engineer. Mr. Royal is expected to begin work with the Town on April 8. Some of his initial time will be spent in Town Hall and helping transition to 41 Fayetteville St. He and Mr. Royal will be meeting soon to develop his work plan.

### EAST STREET SIDEWALK EXTENSION

He will be meeting with NCDOT to begin project discussions on March 28, 2013 (Mr. Royal will meet with them also).

### OTHER NEWS

- Manager Gruesbeck said he made a short presentation at the 3<sup>rd</sup> Annual Sustainability Symposium and Expo for Southeastern North Carolina at Brunswick Community College near Wilmington, NC on Friday, March 22, 2013.

Manager Gruesbeck mentioned that Bella Donna was denied a Building Reuse Grant and discussed the Truck Route as follows:

**Background:** During previous Board meetings, questions have arisen about the potential for a dedicated Truck Route around the downtown Pittsboro and Highway 15/501. The purpose of this Memo is to provide a quick update on some recent conversations that I have had with NCDOT.



NCDOT indicates that current plans for a bypass would create a new expressway length on the near east side of Town off of 64 and eventually merging on the near south side of Town at US 15/501 (see diagram attached to the left). The key to building this stretch of highway is dependent largely on development (for example, Chatham Park).

The section of US 15/501 that goes through Pittsboro is not part of the “Strategic Highway Corridor” which is another way of saying that NCDOT has not identified this segment of highway as critical to moving a large volume of people/supplies in the event of an emergency. Furthermore, the area currently lacks an acceptable route to detour traffic away from US 15/501. Therefore, there are no plans to significantly widen this segment to a boulevard or expressway.

As Chatham Park begins its development process, there will be more discussion on this issue that we will need to follow.

Commissioner Farrell said we need to keep in mind that if we have a truck route the Police Department will have to enforce it.

Commissioner Baldwin asked about the status of the Wastewater Treatment Plant Generator Replacement Project. The Rural Center has requested an updated grant amendment. She asked if it would be possible to go ahead and do that because The Rural Center may be losing funding.

Manager Gruesbeck said he and Becky are working on that.

#### Mayor Updates

- EDC
- RPO
- Solid Waste
- Fairground Association
- PMA/Downtown

### COMMISSIONER CONCERNS

Commissioner Farrell said he would like for Mandy to start back providing financial statements they have not had one in weeks. He said we haven't had budget review meetings with Department Heads or a budget retreat. He knows there are several things Mr. Jewell spoke to him about before he left. Commissioner Farrell said we really have a generator problem at the water and wastewater treatment plants. Also, if he is not mistaken last year the board mentioned looking at giving employee raises in January or February – that should have already been done.

Commissioner Farrell said we need to schedule something as soon as possible during the week and to have the department heads here and they need to know what their financial statement is like.

Mayor Voller stated typically when we get into the budget we will start to have longer meetings. Typically we get into that in April and May. He said to have Mandy come to the next meeting with discussion.

Manager Gruesbeck said he had the expenditure report ready today and have given them to Department Heads.

Commissioner Fiocco said there were two things he was concerned about. The retreat which he thinks is important for us to do and the financial statements they had been receiving periodically at least once a month if not bi-weekly.

Commissioner Fiocco said he was looking at the bi-weekly progress report on Hillsboro Street Transmission Line and it said install sewer for mill. Manager Gruesbeck said that was a question that Becky had and he doesn't know the answer to that yet.

Commissioner Baldwin asked if Bella Donna was going to resubmit to The Rural Center. Manager Gruesbeck said he has not heard anything about it.

Commissioner Turner stated a month or so ago she received an email from someone with Chatham Mills Farmers Market and she asked them to email everyone on the board. She doesn't know if they ever got up with Ms. Lloyd. They were asking questions about doing some signage at the entrances coming into Town for the Saturday morning Farmers Market.

Manager Gruesbeck said someone had contacted him about making a presentation at the next meeting.

Manager Gruesbeck mentioned we were approved as a Certified Retirement Community. Commissioner Fiocco wanted to thank Commissioner Foley and congratulate her for doing such a great job. He said at the next meeting he would bring a budget amendment to the Board for marketing Pittsboro in the amount of \$5,000. (monies the committee has raised)

Mayor Voller said this is a good example of a public/private partnership.

Mayor Voller asked about the email Commissioner Turner forwarded to everyone about extending water to Daisy Scurlock Road. He asked Manager Gruesbeck to bring it back to the next meeting.

Commissioner Farrell said some time ago we discussed a water leak adjustment policy but he doesn't remember approving a policy. Manager Gruesbeck said Commissioner Foley had been doing some research on that issue.

Commissioner Farrell asked if there is an update on the Courthouse Celebration. Mayor Voller said Mr. Wilson called him and said he would not be able to get Nantucket to play but Big Time Party Band wanted to play and he was working with Mr. Horne. Manager Gruesbeck said that is all he knows also.

Commissioner Foley submitted the following updates by email:

First of all, Pittsboro has been officially certified by the N.C. Department of Commerce's Retire NC program! We are already signed up to attend the AARP conference in Atlanta in Oct. (One of the perks of the program is a booth at various trade shows across the U.S.) We are planning a "ribbon cutting" sort of event in late April at the Chatham County Senior Center. Will keep you posted.

We have already received one inquiry from the Retire Pittsboro page on our website. A couple is traveling from South Carolina to visit Pittsboro on Wednesday! They will receive a personal welcome and a tour.

The page: [http://pittsboronc.gov/index.asp?Type=B\\_BASIC&SEC={75AA1BF9-5F7E-4DE6-9376-AA7475EE342A}](http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={75AA1BF9-5F7E-4DE6-9376-AA7475EE342A})

(Thanks, Paul, for working with me to create this page!)

Our committee met this past Thursday and we created two sub-committees. One will create marketing materials to support the Department of Commerce's marketing efforts including:

- Creating a brochure about retiring in Pittsboro
- Creating a display and packets to hand out at trade shows
- Creating a web site
- On-line marketing (*social media, blogs, etc.*)

The second sub-committee will organize an Open House event for prospective retirees and create an outreach plan for when potential retirees request a visit. This will include hospitality and specialized tours that cater to visitors' interests (recreation, education, health care, the arts, local sights, real estate, etc.). All tours will include a visit to our downtown.

The committee has currently raised \$2,500 for marketing/hospitality and plans to raise an additional \$2,500. Sponsorships are still available and are tax-deductible. Second of all, here's an update on the Town of Pittsboro Facebook page:

We reached nearly 8,000 people this week and our "likes" are up 23%.  
<http://www.facebook.com/pittsboronc.gov>

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to take a quick recess.

Vote Aye-4 Nay-0

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

Vote Aye-4 Nay-0

### **CLOSED SESSION**

Motion made by Commissioner Turner seconded by Commissioner Fiocco to go into closed session pursuant to GS 143-318.11(a)(3) to consult with the attorney regarding pending litigation.

Vote Aye-4 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Turner to go out of closed session.

Vote Aye-4 Nay-0

### **ADJOURNMENT**

Motion made by Commissioner Turner seconded by Commissioner Fiocco to adjourn at 9:25 p.m.

Vote Aye-4 Nay-0

FYI -

1. Bi-Weekly Progress Report – Hillsboro Street Water Main Project
2. Letter from Rural Center: Bella Donna Grant Application Update
3. Memo: Truck Route Update

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Randolph Voller, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC  
Town Clerk