

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, MAY 11, 2015
7:00 PM

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

Others present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Police Chief Percy Crutchfield, Planning Director Stuart Bass, Engineer Fred Royal, Finance Director Nancy Emslie and Parks & Recreation Planner Paul Horne.

CONSENT AGENDA

Mayor Terry asked that #2 be moved to New Business #2. Motion made by Commissioner Turner seconded by Commissioner Farrell to approve the consent agenda with the change made. The Consent Agenda contains the following items:

1. Approve minutes of the April 27, 2015 regular meeting.
2. Set Public Hearing date for Annexation Request (A-2015-02) from Chatham Park, LLC. **(moved to new business #2)**.
3. Set a Public Hearing for May 26, 2015 at 7:00 p.m. on the proposed FY 2015-2016 Annual Budget.

Vote Aye-5 Nay-0

REGULAR MEETING AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the regular meeting agenda as submitted adding #2 from consent agenda.

Vote Aye-5 Nay-0

Mayor Terry congratulated Mr. Gruesbeck on a great achievement. He graduated last week from The School of Government's Municipal and County Administrators Course.

CITIZENS MATTERS

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

Good evening, Mayor Terry, Mayor Pro-Tem Baldwin and the town board of Pittsboro.

My name is Randy Voller. I reside at 21 Randolph Court in the Town of Pittsboro.

I come before you today to compliment your work and make a request.

Congratulations on the recent ranking of Our Digital that lists Pittsboro as one of its top five day trips in NC.

This is a testament to all of the work we have done over the past 10 years and certainly speaks well of the common vision we have shared.

1. Fuel your wild side at the [Carolina Tiger Rescue](#), a nonprofit wildlife sanctuary whose mission is saving and protecting wild cats.
2. At lunchtime head to Hillsboro Street. First explore Pittsboro's beloved bookstore, [Circle City Books and Music](#). This small shop offers an outstanding literary selection with monthly readings from authors. Check out the specials on the cart outside the door, and find a great deal on a rare book. Then bring along your sweet tooth and sense of nostalgia to [S&T Soda Shoppe](#).
3. You'll recognize his suspenders and fine handlebar mustache from his hit PBS show. Roy Underhill is a man everyone in Pittsboro knows. Visit [The Woodwright's School & Tool Shop](#) and make sure to go upstairs for antique tools, including planes, saws, and everything else.
4. Most everyone likes honey and wine separately. But what about as one product? Becky and Ben Starr think it's a good idea, so they opened [Starlight Mead](#) and craft homemade meads for everyone. Try cranberry orange, sweet peach, and spiced apple.
5. Gear up your taste buds for a delicious dinner at the [Pittsboro Roadhouse and General Store](#). Enjoy locally raised produce and meats at this downtown staple and then peruse their General Store after your meal.

These businesses and destinations will certainly benefit from continual improvement and investment in our water system and infrastructure. I respectfully request that the Town of Pittsboro formally request that Chatham County buy its water and implement an agreement to do so.

Furthermore, I offer for the record a resolution regarding infrastructure that was passed at the Chatham County Democratic Party's Convention in April.

RESOLUTION TO ESTABLISH A REGIONAL SOLUTION FOR WASTEWATER

Whereas, investments in infrastructure are key to the long term prosperity of Chatham County; and

Whereas, Chatham County and the Town of Pittsboro have studied the prospect of cooperating with each other with waste water processing and discharge; and

Whereas, Chatham County and the Town of Pittsboro conducted these studies with Sanford as a partner for a regional waste water;

Therefore be it Resolved, The Chatham County Democratic Party respectfully requests that the County Board of Commissioners seek to conclude studies and implement a reasonable method of regional cooperation between the City of Sanford, the Town of Pittsboro and Chatham County regarding a long term and affordable solution for Pittsboro and Chatham County wastewater needs in the Cape Fear River basin.

Thank you.

Meredith Voller – 21 Randolph Court read the following into the record:

Good evening.

My name is Meredith Voller. I reside at 21 Randolph Court in Pittsboro.

Anyway, a bit about me, I have over 20 years of experience in sales, marketing, and events in the hospitality industry in Chicago, Portland, Salt Lake City, Los Angeles, and most recently Madison, Wisconsin.

In the near future, I hope to bring my skills to the fore to get a hotel approved and opened in Pittsboro. (Establishes credibility)

I'm a city girl but I've moved to Pittsboro because of the community that my father and brother helped nurture with their work starting in 1995. I'm happy to be here and am looking forward to being a part of the exciting future that's ahead.

To that end, I'm here tonight to humbly request that the Town of Pittsboro institute a program to honor citizens who have contributed to the welfare, livability, and public good of Pittsboro and the greater community.

I respectfully ask that the Town of Pittsboro create honorary names for some of its streets, greenways and public places to reflect the rich heritage of its people.

If the Town is willing to create such a program, I ask that the Southern Park have an honorary name as well: L. A. Voller Park. My now deceased father, L.A. Voller or as many knew him, Lot Voller passed three years ago almost to the date of this request.

Dad was a worldly man, yet he chose to make Pittsboro, North Carolina his last home and resting place. Dad loved the community. He voluntarily worked on local boards and supported many of you.

He especially loved the park South of Town. He'd walk his dog there nearly every day. When we'd visit him, he'd take us and "Sugar" to Southern Park to walk with him. His pride in the park and his enjoyment of his time there was obvious.

Since I am now living in Pittsboro, I'd like to help create such a committee/program to honor our beloved citizens.

OLD BUSINESS

AMEND THE ZONING ORDINANCE TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT ZONING DISTRICT; AMEND SUBDIVISION REGULATIONS TO MAKE APPROPRIATE REFERENCES TO AND ACCOMMODATE THE PLANNED DEVELOPMENT ZONING DISTRICT; AND TO AMEND SECTION 10.4.3.B. OF THE ZONING ORDINANCE TO CONFORM ITS WORDING TO THE WORDING IN SECTION 160A-383 OF THE NORTH CAROLINA GENERAL STATUTES (PAUL MESSICK)

Attorney Messick said the Planning Board met and adopted Consistency Statements (that were in the agenda packets) for all three ordinance amendments.

Attorney Messick explained each item and asked that they be approved in the order they were submitted in the agenda packet.

Attorney Messick stated that Planning Board recommended approval of the ordinance amendments.

Mayor Terry stated Attorney Messick made it clear in his memorandum that the purpose of this action is not to rehash what the board did two years ago, but to correct a defect in the process.

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to approve An Ordinance Adopting An Amendment To The Town of Pittsboro Zoning Ordinance – Town of Pittsboro File No. ZTA-2015-01 Amendment to Section 10.4.3 B.

Vote Aye-4 Baldwin/Farrell/Fiocco/Turner
Nay-1 Foley

AN ORDINANCE ADOPTING AN AMENDMENT TO THE TOWN OF PITTSBORO ZONING ORDINANCE (TOWN OF PITTSBORO FILE NO. ZTA-2015-01 AMENDMENT TO SECTION 10.4.3 B) IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 32-35

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve An Ordinance Adopting An Amendment to the Town of Pittsboro Zoning Ordinance (Town of Pittsboro File No. ZTA-2015-01 Planned Development District)

Vote Aye-4 Baldwin/Farrell/Fiocco/Turner
Nay-1 Foley

AN ORDINANCE ADOPTING AN AMENDMENT TO THE TOWN OF PITTSBORO ZONING ORDINANCE (TOWN OF PITTSBORO FILE NO. ZTA-2015-01 PLANNED DEVELOPMENT DISTRICT) IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 36-44

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to approve An Ordinance Adopting An Amendment to Town of Pittsboro Subdivision Regulations Adding Section 9 Entitled “Design Standards for a Planned Development District” (Town of Pittsboro File No. ZTA-2015-02).

Vote Aye-4 Baldwin/Farrell/Fiocco/Turner
Nay-1 Foley

AN ORDINANCE ADOPTING AN AMENDMENT TO TOWN OF PITTSBORO SUBDIVISION REGULATIONS ADDING SECTION 9 ENTITLED “DESIGN STANDARDS FOR A PLANNED DEVELOPMENT DISTRICT” (TOWN OF PITTSBORO FILE NO. ZTA-2015-02) IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 45-46

PAGE VERNON PARK PROJECT BID AWARD AND BUDGET ORDINANCE AMENDMENT (PAUL HORNE)

Planner Horne gave an overview of Option 1 through Option 4.

Planner Horne stated \$50,000 has been allocated for construction of the park but between \$38,406 and \$44,610 additional funds will be needed. He stated the excess cost can be funded from the Parks Capital Reserve account which has \$55,000 in it right now.

Commissioner Fiocco said he spoke with Mr. Vernon last week and he agreed to pay for the addition of Option 1 (upgrade to stone wall) in addition to the donation of the land.

Commissioner Fiocco commended Mr. Horne for working with the designer and contractor to come up with a good phased park plan.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to authorize the Town Manager to execute a contract with the low bidder for Option 1.

Vote Aye-5 Nay-0

A RESOLUTION AWARDED THE BID FOR THE CONSTRUCTION OF THE PAGE VERNON PARK AT 110 HILLSBORO STREET, PITTSBORO, NC TO VALLEYCREST LANDSCAPE DEVELOPMENT IS RECORDED IN THE BOOK OF RESOLUTIONS, NUMBER ONE PAGE 200-201

Motion made by Commissioner Baldwin seconded by Commissioner Turner to approve the Budget Amendment utilizing Option 1 (balance to be funded from Capital Park Reserve).

Vote Aye-5 Nay-0

AN ORDINANCE AMENDING CAPITAL PROJECT BUDGET FOR THE PAGE VERNON POCKET PARK PROJECT IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 47-48

EAST STREET SIDEWALK PROJECT (CMAQ GRANT) AMENDING CAPITAL PROJECT BUDGET ORDINANCE (FRED ROYAL)

Mr. Royal said the project was re-bid and it is within reach. He stated there is available monies in the Powell Bill Fund to pay the additional \$38,608.

Commissioner Farrell asked if the grant would have covered the sidewalk if it was done years ago. Mr. Royal said he didn't know the answer.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Foley to approve the budget ordinance for the East Street Sidewalk Extension Project.

Vote Aye-4 Baldwin/Fiocco/Foley/Turner
Nay-1 Farrell

AN ORDINANCE AMENDING CAPITAL PROJECT BUDGET FOR THE EAST STREET SIDEWALK EXTENSION PROJECT IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 49

Motion made by Commissioner Turner seconded by Commissioner Baldwin to approve a Resolution Supporting C-5551, East Street Sidewalk Extension.

Vote Aye-4 Baldwin/Fiocco/Foley/Turner
Nay-1 Farrell

A RESOLUTION SUPPORTING C-5551, EAST STREET SIDEWALK EXTENSION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 202

PLAT REVIEW SUTTLES ROAD SUBDIVISION (SD-2015-02) (STUART BASS)

Planning Director Bass stated Lot 5 is where the current construction is taking place for the Medical Office Building. Individual site plans for Lots 4 and 8 (another office building and a hospice) are currently under review and will be forthcoming to the Board.

He said Hydrostructures, PA, Fire Marshall, Fire Chief and Town Attorney reviewed the plat and revisions were made based on the comments provided.

Robbie Oldham, Withers & Ravenel, said detailed construction plans with a site plan will come back to the board for approval.

Commissioner Fiocco asked how we are tracking various area measures we have agreed on, such as impervious surface. Mr. Bass said it is work in progress. Commissioner Fiocco said it needs to be shored up.

After discussions a motion was made by Commissioner Fiocco seconded by Commissioner Foley to approve the Suttles Road Subdivision Preliminary Plat (SD-2015-02).

Vote Aye-5 Nay-0

MAPS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 203-215

ELEVATED WATER TANK RECOMMENDATIONS (FRED ROYAL)

Mr. Royal stated this is a follow up of the March 9, 2015 discussion. Staff and engineers have met and recommend approval of the Phase I Option which:

- Provides approximately 10,800 LF of 12"/16" water line extension;
- New 300,000 gallon elevated storage tank on higher pressure zone (from 679' to 710');
- New control valve to allow control for filling the new 300,000 gallon elevated storage tank and Town's existing standpipe.

Advantages:

- Provides additional elevated storage for fire protection;
- Allows the existing Town standpipe to maintain pressure by filling from the new 300,000 gallon elevated storage tank; thereby improving pressure on the Town's northern area existing system;
- Provides for better water quality (age);
- Lessen demands on the existing high service pump station for the Chapel Ridge system due to the additional storage capacity;
- Eliminates a proposed water booster station.

Disadvantages:

- With higher pressure zone of 710', there will be a need for individual pressure reducing valves (PRV's) for customers north of the control valve location. They estimate between 30 and 50 PRV's will be required for private residences. The cost estimate per meter is approximately \$300.

Mr. Royal spoke briefly about Phase II Option.

Mr. Royal stated staff recommends approval of Phase I as described above, with conditions. The conditions include the following:

- Board of Commissioners review and approval of a CP provided capital an annual cost options.
- Review and approval of an Operations and Maintenance Plan of Phase 1 infrastructure.
- Town to develop a Development Agreement for Phase 1 (Phase II is considered as conceptual and will be further developed until the water demand increases to warrant Phase II).
- The project include selected improvements to the Town distribution system to include SCADA and other system improvements to ensure improved monitoring and general operations of the distribution system in this northern area of town.

Commissioner Farrell asked who would be paying the \$300 per meter for the PRV's. Mr. Royal said that would be completely up to the Board.

Mayor Terry said he was concerned there was concerned that there is no mention of wastewater and even if water is available and there is no wastewater capacity nothing can happen.

Mr. Royal said tonight they are trying to make sure this is the direction the Town wants to go.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Farrell to approve the Phase I option, with conditions listed above.

Vote Aye-5 Nay-0

NEW BUSINESS

WITHDRAWAL OF DEDICATION OF BELLEMONT RIDGE ROAD EASEMENT (BRYAN GRUESBECK)

Manager Gruesbeck said we have received a request from Voller Realty & Construction, LTD to withdraw dedication of Bellemont Ridge Road Easement. The property was never subdivided.

Attorney Messick said Chad Riggsbee (local attorney) is present representing the purchasers of this property if they had any questions about what their plans are for the property.

Attorney Messick said the point of this is to do away with the offer of dedication of the 30 ft. strip on the north side of the lot.

Randy Voller said VRC, Ltd. is willing to subject its deed to a third party with any necessary deed restriction to serve the public interest.

After discussion Commissioner Fiocco suggested that Mr. Royal and Mr. Bass get together to determine what size the easement needs to be to serve the Town.

Motion made by Commissioner Fiocco seconded by Commissioner Foley to withdraw the dedication of Bellemont Ridge Road Easement with the condition they provide access, construction and utility easements in that area to the satisfaction of the town. (Attorney Messick is to work with them on that)

Vote Aye-5 Nay-0

SET PUBLIC HEARING DATE FOR ANNEXATION REQUEST (A-2015-02) FROM CHATHAM PARK, LLC

Mayor Terry stated he does not think enough information is provided. He thinks an economic analysis needs to be prepared. He asked that this item be tabled to allow staff time to prepare a benefit analysis.

Philip Culpepper stated Chatham Park is required; either prior to or with the application for a subdivision or site plan to submit an application for annexation. It is up to the Board whether you accept it or not.

Attorney Messick said the motion is just to set a public hearing. You are not making a decision that night. Secondly, you just approved this land to be a part of a preliminary plat. You have authorized work to be done for all 29 acres, including land that is already in town limits.

Attorney Messick said you can't really do a cost benefit analysis until you know what is going there and that is not known now. Mayor Terry said he disagrees with that – that is why it is an estimate.

Commissioner Fiocco said he thinks a financial analysis is reasonable.

After discussion a motion was made by Commissioner Farrell seconded by Commissioner Baldwin to schedule a public hearing on the annexation request from Chatham Park, LLC for May 26, 2015 at 7:00 p.m.

Vote Aye-5 Nay-0

Motion made by Commissioner Turner seconded by Commissioner Baldwin to authorize the Clerk to determine Sufficiency of Petition.

Vote Aye-5 Nay-0

UPDATES AND REPORTS

MANAGER'S UPDATE ON CAPITAL PROJECTS

Manager Gruesbeck reported that the Fiscal Year 2015-2016 Proposed Budget was submitted to the Board at tonight's meeting.

WWTP PER update at the next meeting.

Manager Gruesbeck said he spoke with a DOT representative and he appeared agreeable to look drawings of proposed landscaping at the traffic circle on 87.

Manager Gruesbeck reported that Stuart Bass, Town Planner has submitted his resignation, June 5, 2015 will be his last day. He is moving closer to family and serve the Council of Governments there. Manager Gruesbeck said he will be looking at a third part contractor to get us through day to day stuff.

Manager Gruesbeck said the Customer Service (Planning, Engineering, Parks & Rec. and Public Works) and Engineering Tech positions have been advertised.

Mayor Terry said we received a letter tonight that the Chapel Hill Transit Partners Advisory Board advising us of their intention to discontinue its contribution to the Pittsboro Express route.

Mayor Terry wanted to know how the Board felt about it. The Board agreed to talk with the County about contributing. Manager Gruesbeck said \$12,000 was included in the budget presented tonight for transit.

After discussion Mayor Terry said he would speak with Mr. Crawford and that Manager Gruesbeck speak with Manager Horne.

Mayor Updates

- EDC – meeting tomorrow morning at 8.
- RPO
- Solid Waste
- Fairground Association
- PBA/Downtown

Randy Voller said Casey Mann was late due to attending a training session at Mitchell Chapel. He asked that she be allowed to give her citizens concern comments.

Casey Mann read the following into the record:

Good evening, Mayor Terry, Mayor Pro-Tem Baldwin, and the town board of Pittsboro. My name is Casey Mann.

I reside at 185 Toomer Loop in the Town of Pittsboro.

I come before you today to request Town that the Town of Pittsboro implement an ordinance that would allow golf carts to be driven in and around town under reasonable circumstances.

Now you may wonder if this is allowed, however—

North Carolina General Statute §160A-300.6 authorizes a municipality, by ordinance, to regulate the operation of golf carts on any public street, road, or highway where the speed limit is 35 mph or less within its municipal limits or on property owned or controlled by the city.

Tonight I have a model ordinance for your review that I requested from former Mayor Randy Voller.

I believe that he obtained his copy from your talented and wise attorney, Paul Messick.

In any case, I am interested in this legislation because of my own personal circumstances.

I nearly died in an automobile accident in my early twenties. I was brought back to life and put back together thanks to the marvels of modern surgery and plenty of metal.

I cannot walk great distances on concrete and I do not want to drive my car for every trip in town.

This ordinance would allow me the capacity to pick up groceries and the necessities of life around town while engaging with my community without driving my car.

I have a draft copy for your review and I respectfully request that you hold a public hearing on the topic and implement the ordinance.

I appreciate your time and if you have any questions please feel free to contact me.

After discuss the board asked that the Town Manager and Police Chief look into this and bring it back to the board after the budget process is complete – maybe sometime in August.

COMMISSIONER CONCERNS

Commissioner Foley stated she would like for staff to see if something can be done in front of Virlie's it is her understanding that several people have been injured in the same spot.

It was stated that could be looked at while doing the Downtown Vision Plan.

Commissioner Baldwin said the handicapped space is not marked and it does not appear very safe. She feels the space next to it should be designated handicapped at well.

Commissioner Fiocco asked when Rob Stone was coming to give an update on where NCDOT stands with circle improvements. Manager Gruesbeck said no date has been set, but they are looking at some time in June.

Commissioner Turner thanked staff for replacing the stop sign and addressing dump trucks going down Park. She also said the air hose had fallen off the bike repair station downtown.

Motion made by Commissioner Foley seconded by Commissioner Fiocco to take a five minute break.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

CLOSED SESSION

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

Vote Aye-5 Nay-0

ADJOURNMENT

Motion made by Commissioner Fiocco seconded by Commissioner Foley to adjourn at 10:05 p.m.

Vote Aye-5 Nay-0

William G. Terry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk