

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, OCTOBER 10, 2016  
7:00 PM

Mayor Perry called the meeting to order and asked for a moment of silence. Mayor Perry said with the exception of power outages and a few trees down we are very lucky during Hurricane Matthew. After watching the news and the floods just beginning down east it is abundantly clear we are very fortunate.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Commissioner Farrell.

**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., Chief of Police Percy Crutchfield, Planning Director Jeff Jones and Engineer Fred Royal.

**CONSENT AGENDA**

Motion made by Commissioner Baldwin seconded by Commissioner Bonitz to approve the consent agenda with the changes listed below. The Consent Agenda contained the following items:

1. Approve Minutes of the September 26, 2016 Regular Meeting. **(Remove to Old Business #1)**
2. Approve Minutes of the September 29, 2016 Joint Meeting of Chatham County Board of Commissioners, Town of Pittsboro Board of Commissioners and Chatham County Board of Education.
3. Set Public Hearing date to hear a Request to Rezone 2214 NC HWY 902 (REZ-2016-07) (Marlow Property) **(Removed at the request of the applicant)**
4. Approve Resolution to Temporarily Close Rectory Street.
5. Approve Ordinance Establishing Capital Project Budget for Sanford Forcemain Project. **(Remove to Old Business #2)**

Vote Aye-5 Nay-0

**A RESOLUTION TEMPORARILY CLOSING RECTORY STREET IS RECORDED IN THE BOOK OF RESOLUTIONS, NUMBER ONE PAGE 163**

## **REGULAR MEETING AGENDA**

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

Vote Aye-5 Nay-0

## **CITIZENS MATTERS**

None

## **CEREMONIAL**

### **RESOLUTION COMMEMORATING THE FIRST ANNIVERSARY OF THE OPENING OF PAGE VERNON PARK**

Mayor Perry stated this resolution was prepared at the request of Commissioner Fiocco. The resolution is commemorating the first anniversary of the opening of Page Vernon Park.

Commissioner Fiocco stated that Mr. Vernon had hoped to be here tonight but could not because he is out of town. But he is very thankful for the recognition of the anniversary of the opening of the park. Mr. Vernon has spent time in the park and is very happy with the facilities and happy to know that Pittsboro is appreciative of it.

Motion made by Commissioner Baldwin to approve the Resolution Commemorating the First Anniversary of the Opening of Page Vernon Park.

Vote Aye-5 Nay-0

The resolution reads as follows:

### **RESOLUTION COMMEMORATING THE FIRST ANNIVERSARY OF THE OPENING OF THE PAGE VERNON PARK**

WHEREAS, on October 10, 2015, the Town of Pittsboro and the Vernon Family dedicated the pocket park located at 110 Hillsboro Street, Pittsboro, North Carolina; and

WHEREAS, this park is the result of a generous gift of land from the Vernon Family, honoring the memory of District Court Judge Page Humphrey Vernon who passed away in 2013; and

WHEREAS, Page was a tireless advocate for the children and families of Chatham County, both as an attorney in private practice as well as a Judge of the District Court for Orange and Chatham Counties; and

WHEREAS, one of Page's favorite places was a picnic table located on the property now dedicated for this park, where she would lunch with friends and colleagues, relaxing under the shade of the park's large pecan tree; and

WHEREAS, the Town, with significant contributions from the Trust of James Milton Johnson and Laura Blair Johnson, and other citizens and businesses in the Town, created this pocket park with benches, tables and a curved stone seat-wall, served by WiFi, which has become a town gathering place full of memories of the valued work of Page Vernon.

**NOW, THEREFORE**, the Town of Pittsboro, hereby celebrates this first anniversary of the Page Vernon Park, and the life, dedication and works of Page Humphrey Vernon, this the 10th day of October, 2016, and a copy of this Resolution shall be entered into the Town records, and a copy sent to the Vernon Family.

**A RESOLUTION COMMEMORATING THE FIRST ANNIVERSARY OF THE  
OPENING OF PAGE VERNON PARK IS RECORDED IN THE BOOK OF  
RESOLUTIONS NUMBER ONE, PAGE 164**

**COMMISSIONER UPDATES**

Mayor Updates: Mayor Perry stated she attended session on Chatham Park Design; attended the Joint Chatham County and Town of Pittsboro Board of Commissioners and Board of Education meeting.

Mayor Perry stated she missed the Chatham Park Additional Elements Advisory Committee (with Chatham Park making a presentation) meeting as well as another meeting and wants to know how the board feels about her starting a "look ahead" agenda that would list all the meeting that are scheduled as well as public events. The Board felt that would be a good organizational tool.

- EDC
- RPO
- Fairground Association
- PBA/Downtown – Commissioner Fiocco stated the PBA and Main Street Design Committee will be meeting Wednesday and the Main Street Committee in its entirety will meet tomorrow.
- Triangle J Council of Governments
- Main Street
- Climate Change

Commissioner Foley said dates have been selected for Holly Day events.

Mayor Perry asked Commissioner Fiocco to bring up the kiosks at the Main Street meeting.

**OLD BUSINESS**

## MINUTES OF THE SEPTEMBER 26, 2016 REGULAR MEETING

Mayor Perry stated her minor changes were to page 5 paragraph three to add: Staff will do installation of kiosks for economic reasons as well as their knowledge of downtown infrastructure locations. Page 11 that the date of the Joint Meeting with Chatham County Board of Commissioners and Board Education be included (9/29/16).

Commissioner Fiocco stated his changes are: Page 4 to add paragraph 5 & 6 to read: Commissioner Fiocco said years ago the board use to be eight members and it was changed to six. The definition of what would be a quorum was never changed. He think it would be prudent to say that a majority of the members present would make a quorum and not actually have a number. The current ordinance says a quorum is five members.

Mr. Horne said he thinks that was a by-law change and it was adopted. He thinks it was half plus one. Commissioner Fiocco said he don't recall that happening and he was concerned about it. Mr. Horne said he would check into it and report back to the board.

Page 6 at the bottom of page to read ... Mr. Jones said not yet, it has been a suggestion by this board and it is going to happen.

Motion made by Commissioner Fiocco seconded by Commissioner Bonitz to approve the September 26, 2016 minutes with the above corrections/additions.

Vote Aye-5 Nay-0

### ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR SANFORD FORCEMAIN PROJECT

Commissioner Bonitz said he pulled this from consent for some discussion. He stated he doesn't have a need not to vote for the budget amendment, he just has comments and questions.

There were discussions about:

- The exclusivity of the project.
- Will we give up our sewer rights?
- Concerns regarding Chatham Park WWTP discharge.
- Feel a lot of information is coming in at once. They don't want to go too fast.
- NPDES Permit and transfer of allocation.
- What risk this proposes for current rate payers.
- What other options do we have?
- This proposal not being want was initially approved for funding.
- They want to make the right decision for the Town now and for the future.

Manager Gruesbeck put on the screen information from the website on the PER for the forcemain. PER can be found at:

[http://pittsboronc.gov/index.asp?Type=B\\_BASIC&SEC={A705EE2B-8012-4246-B059-F56DE4A16AB0}&DE={BE4830C1-F6B4-4BE3-AE46-73179AA22592}](http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={A705EE2B-8012-4246-B059-F56DE4A16AB0}&DE={BE4830C1-F6B4-4BE3-AE46-73179AA22592})

Manager Gruesbeck stated it was on the consent agenda tonight to approve money from Capital Reserve fund balance to allow Wooten to get paid for work they had done on the PER that had to be prepared for the State (NCDWL). He said this discussion can continue on Thursday night during the Utilities Worksession.

Commissioner Bonitz said he just wants to say again that he does not have a problem with the budget amendment. He has a lot of questions he would like to get answered. He has no intention of delaying the forcemain to Sanford.

Commissioner Bonitz said he don't want the Town limited by legal agreements and business arrangements made now in the future.

Commissioner Baldwin stated she feels what everyone is saying is they want a good understanding of facts, options, Permit and transferring of capacity. They want clarification because they don't want decisions that they make to have a negative impact on the Town in the future. They want as much information as possible.

Commissioner Bonitz asked Manager Gruesbeck to prepare a report on costs and risks. Manager Gruesbeck stated Davenport will make a report at the next meeting.

Attorney Messick stated the difference here is the Town will have someone else financing the debt service of this forcemain to Sanford.

Mayor Perry mentioned bring purple pipe back to Pittsboro.

After much discussion a motion was made by Commissioner Fiocco seconded by Commissioner Bonitz to approve the Budget Ordinance establishing the Capital Project Budget for the Sanford Forcemain Project and authorize signature on Amendment No. 1.

Vote Aye-5 Nay-0

**AN ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR SANFORD FORCEMAIN PROJECT IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 92-93**

## **NEW BUSINESS**

### **SITE PLAN REVIEW (SP-2016-05) PITTSBORO ROOTS (JEFF JONES)**

Commissioner Fiocco requested to be excused from discussion on this site plan review. His firm is the civil engineers on the project.

Motion made by Commissioner Foley seconded by Commissioner Foley to excuse Commissioner Fiocco from discussion on this site plan.

Vote Aye-5 Nay-0

Planning Director Jeff Jones stated the plans have been reviewed in accordance with the Town's applicable development ordinances by the appropriate departments.

Mr. Jones reported the Planning Board voted unanimously to recommend approval. One Planning Board member expressed how the architecture didn't seem like Pittsboro and had issue with that part of the project, but after discussion with fellow board members they were reminded how under current ordinance the Town of Pittsboro does not regulate architecture.

Mr. Jones reported that stormwater was also discussed, with one Board member thinking that stormwater was not being handled above the Town standards and thought this project should be held to some sort of higher standard than other projects in the Town of Pittsboro.

Staff recommendation is to approve the proposed request, subject to issuance of any additional local and state permit.

There was discussion about stormwater and Commissioner Foley asked Mr. Royal what his thoughts were and Mr. Royal said he would prefer the three rain gardens instead of a large pond somewhere. He prefers the smaller gardens.

Commissioner Bonitz said we have just been through Hurricane Matthew and he would like for the Board to look at runoff. He said we already have one pocket neighborhood using the 100 year model and he thinks we should think about it for the UDO.

Engineer Royal stated that Engineers use a 1946 document (TP40) to determine projected rainfall amounts. He said they would need to get actual rainfall design storms from the NC Climate Office (meteorologists) Mayor Perry said the protocol should be updated from 1946.

Andrew Iatridis, Engineer representing Pittsboro Roots gave an overview of the property. He stated that Edwin White of Siler City will be making a metal sculpture for this area. The shopping center will have retail stores and they have two tenants (Root Cellar which is a restaurant and Bottle Revolution which is on the beer and wine concept).

He stated that construction on the shopping center should start early spring.

Russet Run will have four lanes divided with a median.

Commissioner Bonitz said he did not see anything mentioned about food waste recovery and asked Mr. Smith if that could be considered. Mr. Smith said he would refer that to Mr. Ron Strom the developer of the project. Mr. Strom said he would look into it. Mr. Bonitz said there are two companies in Chatham County that does that.

Commissioner Bonitz said he was pleased to see the landscape design. He said he would like to see very high quality soil used to protect the landscape as much as possible. He said it is addressed in the Additional Elements but it is not defined. He said there are two businesses in Chatham County that sells high quality soil also.

After discussion on the site plan for Pittsboro Roots a motion made by Commissioner Baldwin seconded by Commissioner Bonitz to readmit Commissioner Fiocco to the meeting.

Vote Aye-5 Nay-0

Motion made by Commissioner Foley seconded by Commissioner Baldwin to approve the site plan subject to issuance of necessary permits.

Vote Aye-5 Nay-0

**A COPY OF THE APPROVED SITE PLAN IS ON FILE AT THE PLANNING OFFICE.**

## **ADDITIONAL UPDATES AND REPORTS**

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

Manager Gruesbeck submitted the following updates in the agenda packet:

**Chatham Park PDD Master Plan: Sanford Force Main** – The Town Board scheduled a workshop for October 13, 2016 to review the technical aspects of the Sanford Forcemain project. Davenport & Co will provide a financial overview of the project.

Mr. Messick, Town Attorney and I met with Sanford Staff on October 3, 2016 and relayed the input we received from the Town Board during our the September 26, 2016 Board of Commissioners meeting.

**Sanitary Sewer Inflow and Infiltration (I&I)** – A preconstruction meeting is scheduled for October 13, 2016 at Hydrostructures and the NC Division of Water Infrastructure (DWI) to begin work on repairing storm water sewer infiltration into sanitary sewer lines and manhole structures in the Toomer Loop Road area behind Piggly Wiggly. More specifically, the work will include placing “sliplines” in sanitary sewer lines, repairing manhole structures and fixing leaks in private sewer cleanouts. This work is expected to begin during the week of October 17, 2016. Town Staff will personally notify the affected residences.

**Pittsboro Elementary School Sidewalk/NC 87 Sidewalk** – A bid opening is scheduled for October 18, 2016 for both sidewalk segments. The Pittsboro Elementary Road Sidewalk bid is funded with a grant and will need approval from NCDOT. We hope to have a Notice to Proceed from NCDOT by Thanksgiving.

**Kiosk Update** – Staff is ordering the powder coated kiosks, based on your input on September 26, 2016. When they arrive, Staff will install in locations verified by the PBA.

**Street Fair** – Planning and arrangements continue for the annual event. This year's festivities take place on October 29, 2016. You can find updates and announcements on its Facebook page ([www.facebook.com/PittsboroStreetFair/](http://www.facebook.com/PittsboroStreetFair/)).

**Stormwater BMP's** – Staff added plantings to the Town Hall BMP just in time for Hurricane Matthew.

**Utilities Workshop** – As mentioned earlier, we scheduled a workshop of the Town Board for October 13, 2016 from 6pm to 8:30pm to discuss the Sanford Forcemain, the Northside Water System Improvements/Elevated Water Tank and the “Chatham Park” wastewater treatment facility. The purpose is to gather feedback on the technical and operational aspects of our upcoming major utility projects.

**New Town Phone System** – Network cables were installed in needed areas of Town hall on October 6, 2016. Network South will be installing the new VOIP phone system in Town Hall, Water Treatment Plant and the Wastewater Treatment Plant on October 11 and 12, 2016. As far as anyone can remember, it will be the first phone system replacement in Town Hall - and the first system that ties together multiple facilities.

**Chatham County EDC Opportunity Chatham** – Just a friendly reminder regarding the Opportunity Chatham event hosted by the Chatham County EDC. The annual breakfast event will be held Friday, October 21, 2016 from 7:30am to 10am at the Barn at Fearington. Everyone who expressed interest in the event has been registered and will be sitting at the same table. I will be in Michigan this year on that date.

**Dioxanne 1,4** – Dr. Knappe from NCSU will be attending the November 28, 2016 Town Board of Commissioners meeting to discuss his recent efforts to advocate for better source reduction and discharge limitation of the currently unregulated Dioxanne 1,4.

Manager Gruesbeck reported that the Chatham Housing Committee has set a meeting for November 3, 2016 at 7 PM in the Dunlap Classroom. Commissioner Baldwin is our representative and Commissioner Foley is the alternate.

Manager Gruesbeck stated the auditor has finished their audit work and expect to make a presentation at the second meeting in November.

Manager Gruesbeck stated the Inclement Weather Operations Plans for Hurricane Matthew was included in the agenda packet.

Manager Gruesbeck stated that Hurricane Matthew came and went. We had quite a few branches and some power outages. He thanked the police department for being out there looking for flooding areas, putting up cones and taking them down when the water receded. He also thank public works for their planning for the event.

Mayor Perry stated she just received an update from Indira (Duke Energy) that stated there are approximately 1,000 residents without electrify as of 7 p.m. tonight in Chatham County.

Commissioner Bonitz stated he appreciated the alerts that Duke Energy sent out but he asked them that they get sent out earlier. He got his call at 10:30 and he received several complaints from residents that received the call between 9:30-11:00 pm.

### **COMMISSIONER CONCERNS**

Commissioner Farrell asked about our contract with Summit Engineering. Manager Gruesbeck stated that a budget amendment was approved at the last meeting for an additional \$15,000.

Commissioner Farrell asked if there is any reason why we are not using Hydrostructures.

Mr. Royal stated we are using Hydrostructures for services but not for inspections at Chatham Park. He stated Summit won the bid for these services, over a year ago. He stated we use Hydrostructures for a lot of things.

Commissioner Foley asked if doing the bidding process we show some type preference for locals. Manager Gruesbeck said we do not.

Mr. Royal said he uses Hydrostructures for existing infrastructure. Summit is inspecting new infrastructure within Chatham Park (CP is paying for it).

Commissioner Fiocco asked if the new infrastructure data is being supplied to Hydrostructures to keep the models updated. Mr. Royal said yes. But we are training Andrew McGrane to enter this data for us as well.

Commissioner Farrell mentioned the tree on the bridge at Roberson Creek.

Commissioner Foley asked how someone goes about getting trash cans replaced. Manager Gruesbeck said contact Town Hall.

Mayor Perry mentioned Economic Development Opportunity Chatham on October 21, 2016. Manager Gruesbeck said he has already registered everyone that contacted him and the whole group will be sitting at the same table.

**FYI –**

1. Inclement Weather Operations Plan – Hurricane Matthew, October 2016

**ADJOURNMENT**

Motion made by Commissioner Bonitz seconded by Commissioner Baldwin to adjourn at 9:16 p.m.

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