

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, SEPTEMBER 26, 2016
7:00 PM

Mayor Perry called the meeting to order and called for a moment of silence. Mayor Perry stated John Foley is recovering from a procedure therefore his wife, Commissioner Foley will not be with us tonight.

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 and Michael Fiocco. Commissioner Bett Wilson Foley excused absent.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Police Chief Percy Crutchfield, Planning Director Jeff Jones, Parks Director Paul Horne and Finance Director Heather Meacham.

CONSENT AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to approve the consent agenda as submitted. The Consent Agenda contained the following items:

1. Approve Minutes of the August 22, 2016 and September 12, 2016 Regular Meeting.
2. Approve Resolution to Temporarily Close Masonic Street
3. Approve Ordinance Declaring a Road Closure for a Christmas Parade
4. Accept Financial Report for FY 2016-2017 as of August 31, 2016.
5. Approve Revised Budget Amendment for I & I Project.
6. Approve Resolution to Approve Supplemental Agreement for Sidewalk Construction on Pittsboro Elementary School Rd (SR 1967) and authorize the Town Manager to sign the Supplemental Agreement.
7. Reschedule a Public Hearing for Proposed Future Land Use Designation Change on Hillsboro Street (LUPA-2016-01) for October 24, 2016 at 7 PM.

Vote Aye-4 Nay-0

A RESOLUTION TEMPORARILY CLOSING MASONIC STREET IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 158

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE CHRISTMAS PARADE IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 90

A REVISED BUDGET AMENDMENT FOR THE I & I PROJECT IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 91

A RESOLUTION TO APPROVE THE SUPPLEMENT AGREEMENT FOR SIDEWALK CONSTRUCTION ON PITTSBORO SCHOOL ROAD (SR 1967) IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 159

SUPPLEMENTAL AGREEMENT WITH NCDOT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 160-162

REGULAR MEETING AGENDA

CITIZENS MATTERS

NONE

COMMISSIONER UPDATES

Mayor Updates: Mayor Perry stated she has attended:

- EDC meeting
- UNC Hospice Ribbon Cutting – where Mayor Pro Tem Baldwin cut the ribbon
- She missed the UDO meeting after returning from a trip
- Ribbon cutting for New Branch Chiropractic
- Habitat for Humanity Event at the Roadhouse
- Gave the welcome at the Chatham County Fair
- NAACP Candidates Forum
- Have a design event at Chatham Park tomorrow
- RPO
- Fairground Association – Commissioner Baldwin reported the Fair was a success.
- PBA/Downtown – Commissioner Fiocco said they are gearing up for Holly Days celebration there will be requests and opportunities for all to do.
- Triangle J Council of Governments – Commissioner Baldwin stated she has a meeting on Wednesday.
- Main Street
- Climate Change – Commissioner Bonitz said they have met and received a dry run version of a briefing (to Chatham County Board of Commissioners) to question what means we should use to evaluate the cost effectiveness and cost efficiency of buildings the county builds. The recommendation from the committee is that L.E.E.D. standards should be used. The Presentation is on the County's website.

Commissioner Farrell stated that he and Commissioner Fiocco attended the dedication of a new home on Roberts St. The home was 1500 sq. ft. and had five bedrooms and three baths every inch of space was used.

Commissioner Baldwin said she is very pleased with the UNC Hospice facility, and they have the Joint meeting on Thursday.

NEW BUSINESS

UPDATE ON 9-11 FIRST RESPONDERS MEMORIAL (BILLY WILLIAMS)

Billy Williams – 9-11 Memorial Committee gave the board an update on the opening of the Memorial. Mr. Williams asked the board to take over the water bill for the Memorial and also to take over keeping the property mowed.

Mr. Williams said they have been paying a water bill for two and a half years and haven't been using any water up until three weeks ago when they started the landscaping work. He said this Memorial was completed with 100% donations.

Mr. Williams stated Pittsboro and Chatham County have something that does not exist in the State. There is a very nice one in Goldsboro at the Military base (and he is sure tax dollars are used there).

Mr. Williams said he had spoken with Steve Barker who is on the board at the Fire Department and a town employee. Mr. Barker said he would be glad to keep it mowed if the Town gives him permission.

Mr. Williams said the 9-11 board feel they should stay in control of the Memorial but they really need a little help.

Commissioner Farrell stated he spent a couple of Saturday's working there and he wanted to thank him for all hours he put in. Commissioner Farrell also wanted to thank Justin for all the work he put in there as well.

After discussion the Manager stated he would get together with Mr. Messick and Mr. Williams and come up with something and bring it back to the Board.

APPOINT MEMBERSHIP TO PITTSBORO PARKS AND RECREATION ADVISORY BOARD (PARAB) (PAUL HORNE)

Parks Planner Paul Horne stated that Parks & Recreation Committee Chair, Meagan Bolejack was present tonight.

Mr. Horne went over the spreadsheet below and stated terms of the current membership has expired.

Existing Membership	Residence	Term Expired (June 30, 20XX)	New Term Valid Until (June 30, 20XX)
Sarah Carr	Town	2015	2017
Sara Brinson	Town	2016	2018
Brett Moraes	Town	2015	2017
Nanishka Albaladejo	Town	2016	2018
<i>Current Vacancy</i>	<i>ETJ</i>	<i>2015</i>	<i>2017</i>
Megan Bolejack	ETJ	2016	2018

Mr. Horne said in the interest of continuity and retainage of institutional memory the Board may consider reappointing the current Board to new two-year terms.

Additionally, two new applicants have expressed interest in serving their community. Noah Becker is volunteering to fill the existing ETJ vacancy, while Bridget Perry is volunteering to serve as an “in-town” representative.

For full-disclosure - Mr. Becker currently lives in Town, but will be moving to the ETJ within a handful of months.

With the additional well-qualified candidate, the Board may consider expanding the body from six to seven. This would necessitate a minor change in policy from the Board Chair not voting to being in the position to break tie votes if necessary.

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.

After discussion a motion was made by Commissioner Baldwin seconded by Commissioner Bonitz to increase the size of the board from six members to seven members.

Vote Aye-4 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to reappoint the current members based on the spreadsheet above and Noah Becker, his term would expire in 2017 and Bridget Perry, her term would expire in 2018.

Vote Aye-4 Nay-0

OLD BUSINESS

UPDATE REGARDING DOWNTOWN KIOSKS (PAUL HORNE)

Parks Planner Horne stated two bids were sought presuming the purchase of three kiosks. The lowest quotes were as follows and vary by material:

Aluminum: \$5,000 for 3 kiosks and taxes (lightest option in weight – rust free)

Powder Coated Steel: \$3,500 for 3 kiosks and taxes (color will match our existing street furnishings)

Stainless Steel: \$7,600 for 3 kiosks and taxes (satin finish – arguably the most durable option)

Mr. Horne said the pricing does not include shipping or installation. He said the kiosk designs were provided by the Town of Chapel Hill.

Mr. Horne suggested the following placement of the kiosks:

- Intersection of Hillsboro St. and Thompson St. Within the public right of way of Elizabeth's Pizza (Property owner has suggested they will apply for a Façade Grant) perhaps in conjunction with brick sidewalk improvements to the Community House.
- Intersection of Hillsboro St & W. Salisbury St. Within the existing handrail corral in front of the Woodwright's Shop. (Temporary)
- Within the former Town Square/current County Public Parking Lot in front of the Blair Building. Exact placement to be coordinated with the NCDOT sidewalk improvements project underway.

He said any installations downtown would need to be performed with special care given the prevalence of buried infrastructure. Staff will do installation of kiosks for economic reasons as well as their knowledge of downtown infrastructure locations.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the purchase of the Powder Coated Steel Kiosks to match the downtown benches. Commissioner Fiocco also requested that the Main Street Committee be involved in the location of the kiosks.

Vote Aye-4 Nay-0

UPDATE REGARDING CHATHAM PARK ADDITIONAL ELEMENT REVIEW COMMITTEE (JEFF JONES)

Planning Director Jeff Jones gave the following update on the Additional Element Review Committee:

He stated that 13 members had accepted and that Tyson Miller did not accept. He said that 13 members seem to be manageable and the board may consider changing the size of the committee.

On Tuesday September 20, 2016, the Chatham Park Additional Elements Committee met for an orientation meeting. During this meeting a Chairperson was elected, Jim Nass, a Vice Chairperson, Wayne Britt, and a Recording Secretary, Rebecca Mabe were also elected.

Chatham Park has offered to hire a court stenographer to take the minutes of the committee meetings. The Committee accepted this offer and staff will work with Chatham Park to hire an independent court stenographer. All meetings will be recorded and minutes taken to ensure a complete record of discussion is made available to all.

The Committee also discussed their meeting schedule. The Committee agreed to meet every other week on Wednesdays starting October 5, 2016.

The schedule for reviewing all elements will be as follows:

Review the Additional Elements in three groups:

1. Phasing, Parking & Loading, Signage, and Lighting
2. Open Space, Tree Protection, Landscaping, and Stormwater
3. Public Facilities, Public Art, Transit and Affordable Housing

Group 1 meeting dates: October 5, 2016 (Chatham Park Presentation), October 19, 2016, and November 2, 2016.

Group 2 meeting dates: November 16, 2016 (Chatham Park Presentation), November 30, 2016, December 14, 2016 and January 4, 2017.

Group 3 meeting dates: January 18, 2017 (Chatham Park Presentation), January 25, 2017, February 8, 2017 and February 22, 2017.

After each set of elements reviewed by the committee the Town could then start the process of setting and holding a Public Hearing and the then sending on to the Planning Board for recommendation.

Group 1 target dates: November 14, 2016 set Public Hearing for November 28, 2016. Planning Board recommendation on December 5, 2016 and to the Town Board of Commissioners on December 12, 2016 for Action.

Group 2 target dates: January 9, 2017 set Public Hearing for January 23, 2017. Planning Board recommendation on February 6, 2017 and to the Town Board of Commissioners on February 13, 2017 for Action.

Group 3 target dates: March 6, 2017 set Public Hearing for March 20, 2017. Planning Board recommendation on April 3, 2017 and to the Town Board of Commissioners on April 10, 2017 for Action.

While the committee is working through their process staff and any consultants the Town engages for various elements will be working to compile their comments and recommendations. The goal would be to mirror the committee's timeline for review of the elements.

Commissioner Fiocco asked if fire and police are looking at the additional elements. Mr. Jones said not yet, it has been a suggestion by this board and it is going to happen.

Mr. Jones said the meetings start at 7 pm, here at Town Hall and last a couple of hours.

After discussion a motion was made by Commissioner Baldwin seconded by Commissioner Fiocco to adopt a resolution to change the membership of the committee to 13 members.

Vote Aye-4 Nay-0

UPDATE REGARDING SANFORD FORCEMAIN AGREEMENT (BRYAN GRUESBECK)

Manager Gruesbeck went over a power point presentation which can be viewed at:

http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={F648A9BA-F689-42B3-85D4-D7DF405FA4F6}&DE={188AB2E7-0FA0-4747-9BA4-C7ED30086598} “Sanford Agreement PP”

After the presentation and discussion the following items need to be discussed with the City of Sanford regarding the contract.

- 1) Term - Propose a term be longer than 30 years. Notice of termination of the contract should change from 18 to 24 months.
- 2) Exclusivity - Notwithstanding the “Chatham Park” reclamation facility, language should be amended to stipulate that the “exclusivity” should expire at 2.0 MGD.
- 3) Rates - In order to eliminate timing concerns of annual rate setting, we should explore the possibility of setting a fixed rate for a five (5) year period that is less than \$1.40 per 1,000 gallons.
- 4) Capacity/Debt Fee - Revisit the concept of paying the capacity fee based on actual flow as long as we provide a minimum payment in the event that flows do not meet annual projected levels.

RECESS

Motion made by Commissioner Bonitz seconded by Commissioner Baldwin to take a five minute recess.

Vote Aye-4 Nay-0

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

Vote Aye-4 Nay-0

Mayor Perry said Commissioner Baldwin wanted to say something about the Sanford force main contract. Commissioner Baldwin said she is concerned about the fees and possible rate hike. She doesn't want it to increase sewer bills outrageously for our customers.

Mayor Perry stated she is concerned about having duplication in case something happens with the line running to Sanford, at least a storage space. Manager Gruesbeck stated our existing plant will act as that storage.

Commissioner Farrell said he is concerned because in about every section of this agreement it says - Pittsboro will pay. He haven't seen anywhere it says Sanford will share. Manager Gruesbeck said we a purchasing a commodity from them and they want to make it clear what we are paying for.

Commissioner Fiocco said at this point we think this is the cheapest option.

Mayor Perry said she is waiting to receive input from Davenport and also for it to be discussed at the Utilities Workshop.

ADDITIONAL UPDATES AND REPORTS

MANAGER'S UPDATE ON PROJECTS

Manager Gruesbeck submitted the following updates in the agenda packet and highlighted them at the meeting.

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.

City of Sanford Staff and their City Council discussed the proposed project and agreement with Pittsboro at a “high level” without specifics related to agreement terms. Following this discussion, Sanford Staff forwarded options related to the rate that Sanford would charge Pittsboro to treat its wastewater. Davenport and Co. are reviewing the Sanford rate options, in addition to related forcemain cost information in preparation for an upcoming financial overview.

I will review the proposed Sanford Agreement using the recent financial offer from Sanford as it currently stands, realizing that these terms may be modified as additional analysis is applied.

Staff is meeting with the NC Department of Water Infrastructure (DWI) regarding the final submission of the Engineering Report (ER) and the Revolving Fund.

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.

Joint Meeting with Chatham County Board of Commissioners and Chatham County Schools Board of Education - Another friendly reminder regarding an upcoming meeting with two Chatham County Boards. I enclosed the preliminary agenda for the meeting as an FYI in the current Agenda packet. Please let me know if you are unable to attend.

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.

Robeson Creek Bridge Reconstruction – NCDOT informs Town Staff that construction to replace the bridge over Robeson Creek on NC87 is expected to begin on October 10, 2016. NCDOT will be replacing the 12” ductile water main. The current signage at the entrance of Town Lake Park may need to be moved. According to their contract, construction is expected to last for 260 days. Chatham Schools will be working with parents to keep traffic away from NC87 during construction.

Commissioner Fiocco asked if NCDOT has a portal on their website to let people know what is going on with the project. Manager Gruesbeck said the town will be receiving all the phone calls and he is going to try to keep up with the project so that he can know as much as possible. He is going to treat it like it is our project and pass information on as he gets it.

COMMISSIONER CONCERNS

Commissioner Fiocco said it was mentioned at the last meeting about site lighting and dark skies concept and that he received a lot of emails about it. He located the email from Morehead Planetarium and requested that the letter be included as a part of the minutes.



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November 6, 2013

Commissioner Michael Fiocco
353 Hillsboro Street
Pittsboro, NC 27312

Dear Commissioner Fiocco,

I am writing concerning the Chatham Park Development. As you know, the private development group Preston Development Company has proposed a master plan to create a community on 7,120 acres between the Town of Pittsboro and the waters of the Haw River and Jordan Lake. The proposed development would likely increase Pittsboro's population to over 60,000 people and change the natural landscape near Jordan Lake and the Haw River.

In light of this proposed significant change to the Pittsboro community, I ask on behalf of Morehead Planetarium and Science Center that the conservation of the night sky be considered as part of the criteria to determine community impact of the development. Light pollution from human development takes on various forms, but the most apparent is sky glow, where diffuse light escapes from developed cities and towns into the night sky, creating a bright, hazy dome of light over these areas.

The Morehead Planetarium and Science Center has been conducting skywatching sessions for the benefit of the local community at the Ebenezer Church Recreation Area of Jordan Lake for several decades. We are concerned that our astronomy sessions will be negatively affected by the light pollution that will come to be through the new development. In addition, light pollution also affects a wide array of animals and humans. An abundance of light during the nighttime confuses animal sleeping cycles, breeding cycles, migration cycles, and feeding cycles. Light pollution also affects human circadian rhythms, and researchers are looking into its effects on the human immune system.

We ask that the Mayor and the Board of Commissioners consider our request to include the conservation of the night sky as a part of their development criteria and to learn more about how to establish a baseline to measure Pittsboro's sky glow for the benefit of the human, animal, and research communities of the Triangle.

To learn more about what such an ordinance would entail, and to learn more about dark sky conservation, please visit the International Dark-Sky Association website's Model Lighting Ordinance at darksky.org/outdoorlighting/mlo.

Sincerely,

Todd Boyette, PhD
Director, Morehead Planetarium and Science Center

CLOSED SESSION

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

Vote Aye-4 Nay-0

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

Vote Aye-4 Nay-0

FYI –

1. MEMO/AGENDA – Meeting with the Chatham County Board of Commissioners & Chatham School Board of Education for September 29, 2016.

ADJOURNMENT

Motion made by Commissioner Baldwin seconded by Commissioner Farrell to adjourn at 10:02 p.m.

Vote Aye-4 Nay-0

Cindy S. Perry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk