



TOWN OF PITTSBORO

The Pittsboro Board of Commissioners met in Regular Session on **Monday, May 09, 2022** at 7:00pm in the meeting room at the Chatham County Agriculture and Conference Center with Mayor Cindy Perry presiding. The meeting was called to order at 7:03 pm. Mayor Perry requested a moment of silence with the recitation of the Pledge of Allegiance following led by Commissioner Farrell.

ELECTED TOWN OFFICIALS PRESENT: Mayor Cindy S. Perry, Mayor Pro Tem Pamela Baldwin, Commissioner John Bonitz, Commissioner Jay Farrell, Commissioner Kyle Shipp, and Commissioner James Vose.

TOWN STAFF PRESENT: Town Manager Chris Kennedy, Town Attorney Paul S. Messick, Chief of Police Shorty Johnson, Finance Director Heather Meacham, Planning Director Theresa Thompson, Public Information Officer/Emergency Manager Colby Sawyer, Parks & Recreation Director Katy Keller, and Director of Engineering Kent Jackson, Public Utility Director Adam Pickett.

ADOPTION OF THE AGENDA

Mayor Perry called for a motion to either approve or modify the agenda as proposed.

Mayor Pro Tem Baldwin made a motion to approve the Regular Agenda as presented, seconded by Commissioner Vose.

Vote: Aye-5 Nay-0 Motion carried unanimously.

Resolution of Appreciation Recognizing Planning Board Member Raeford Bland presented by Mayor Perry.

Resolution of Appreciation Recognizing Planning Board Member Steve Cockman presented by Mayor Perry.

CITIZEN MATTERS

1. Manager Updates

The Downtown Pittsboro Advisory Committee is in the preliminary stages of establishing members and others may reach out to Town Manager Chris Kennedy or Theresa Thompson if interested in participating.

Work on the Water treatment plant Fastrack GAC program is progressing and is on target for deployment in early to mid-July.

2. Mayor and Commissioner Updates and Concerns

Mayor and Board members gave updates on the committees and boards on which they serve.



3. Public Comment

Ryan Ford, resident of Pittsboro and Chair of Parks and Recreation Board. Mr. Ford would like to share his support of the Town of Pittsboro Park and Recreation Planner, Katy Keller, and the proposed budget increase for the hiring of a Park Superintendent and Recreation Coordinator. Mr. Ford spoke highly of the work that Ms. Keller has provided to the community this past year, and supports the efforts projected for improvements to the parks, tennis courts and updating the Community House. PARAB would be willing to provide a Resolution to support the proposed budget increase.

CONSENT AGENDA

Mayor Perry called for action on the Consent Agenda.

The Consent Agenda contained the following items:

1. **Minutes of the April 25, 2022 Regular Meeting of the Board of Commissioners**
2. **Set Public Hearing for REZ-2022-01-102 Park Drive (PARID 79930)-R-12 to OI-CZ, Veologica LLC c/o Randy Voller**
3. **Set Public Hearing for REZ-2-22-02-Turkey Creek (PARID 7461, 7462, 62851)-R-A & M2 to R-10-CZ, MR-CZ, & M-1-CZ, Greenhawk Development**
4. **Set Public Hearing for ZTA-2022-04-Quarterly Updates to the UDO-Parking Lot Series #4**
5. **List of Applicants for Downtown Pittsboro Advisory Board**
6. **Legislature Tracking & Policy Updates for the Board of Commissioners**
7. **Board of Commissioners Future Agenda Item "Look Ahead" Tentative Schedule**

Commissioner Shipp made a motion to approve the consent agenda but requested the removal of Consent Agenda #1 until next month, seconded by Commissioner Vose.

Vote: Aye-5 Nay-0 Motion carried unanimously.

Mayor Pro Tem Baldwin made a motion to open public hearing, seconded by Commissioner Shipp.

Vote: Aye-5 Nay-0 Motion carried unanimously.

PUBLIC HEARINGS #1

1. **Annexation - A-2022-02 Chatham Park Commerce Center-Property Along Eubanks Road and US Highway 64 Business East (PARID 95045, 61066), Chatham Park Investors, LLC and COC Real Estate Co., LLC.**

Town Manager Chris Kennedy shared that there is a request of delay of action to allow for the projects site development plan documents to move forward.



Commissioner Shipp made a motion to close public hearing for Annexation #1, seconded by Commissioner Farrell.

Vote: Aye-5 Nay-0 Motion carried unanimously.

Commissioner Shipp made a motion to open public hearing for Annexation #2, seconded by Mayor Pro Tem Baldwin.

Vote: Aye-5 Nay-0 Motion carried unanimously.

- 2. Annexation – A-2022-03 Oldham Property - Property Along US 15-501 North (PARID 93983, 93984, 7107, 7108, 7109, 7110), Graham Scott Oldham and Graceledge Properties, LLC.**

Town Manager Chris Kennedy shared that Mr. Oldham approves for a vote by the Board of Commissioners and there were no public comments for this annexation.

Commissioner Shipp shared the error in the Ordinance that stated that it was petitioned by Chatham Park Investors.

Commissioner Farrell made a motion to close public hearing and to approve the annexation #2, seconded by Commissioner Bonitz.

Vote: Aye-5 Nay-0 Motion carried unanimously.

Mayor Pro Tem Baldwin made a motion to open public hearing, seconded by Commissioner Shipp.

Vote: Aye-5 Nay-0 Motion carried unanimously.

- 3. Annexation – A-2022-04 Del Webb at Chatham Park – Property Along Sanford Road (PARID 60774, 7413, 89720), CPF, LLC**

Town Manager Chris Kennedy shared that there is a request of delay of action to allow the site development plans to run concurrent with approval.

Mayor Pro Tem Baldwin made a motion to close public hearing for Annexation #3 and delay action, seconded by Commissioner Vose.

Vote: Aye-5 Nay-0 Motion carried unanimously.

Commissioner Vose made a motion to close public hearing, seconded by Commissioner Farrell.

Vote: Aye-5 Nay-0 Motion carried unanimously.

OLD BUSINESS



1. Chatham Park Infrastructure Acceptance – Suttles Road Transmission Main and 300,000 Gallon Elevated Storage Tank

Engineer Kent Jackson reported that McKim and Creed will take care and pay for any issues with the altitude valve relating to the elevated storage tank.

Commissioner Shipp asked for Chatham Park to be the responsible party to pay for chlorination. Engineer Kent Jackson shared that the Suttles Road Transmission Main was previously chlorinated by Chatham Park.

Commissioner Shipp wanted the language to clearly state that Chatham Park would pay for the chlorination.

Mr. Wesley Hutchins of McKim and Creed on behalf of Chatham Park shared that acceptance of the infrastructure and the operational components that are needed to integrate the system are two topics, therefore, accepting the infrastructure can happen prior to the operations of the system. McKim and Creed are willing to work with the Town of Pittsboro.

Commissioner Bonitz stated he would like the valve replaced.

Mr. Hutchins stated that the town preference would be the on/off valve and would be switched out after the tank is received. Mr. Hutchins stated that Chatham Park would be willing to pay for the chlorination of the line and the tank if the Town of Pittsboro will provide the water.

Commissioner Vose requested for a performance bond and a 12-month warranty.

Town Manager Chris Kennedy clarified that the one-year warranty would apply for everything being accepted and the performance bond would be for the valve.

Mr. Hutchins stated the one-year warranty began when installed and has expired as the infrastructure has set dormant for four years and the performance bond would not be provided for the replacement valve but would stand behind the work when replaced.

Town Manager Chris Kennedy asked if there was an alternative to warranty or performance bonds.

Mr. Hutchins state that Chatham Park expects that the infrastructure would be operational, and no major repairs should occur for the next twenty years. Mr. Hutchins then stated that a warranty for the Suttles Road replacement valve would be entertained based on acceptance.

Engineer Kent Jackson stated that based on the review of test reports, records, discussions with Town of Pittsboro employees and representative with the state involved in the project, he believes the project will perform for the service life.

Commissioner Shipp made a motion to approve the acceptance of the infrastructure with Chatham Park paying for the chlorination and Town of Pittsboro will provide the water and McKim and Creed will replace the valve and provide a warrant and provide a written guarantee to continue to work with the town to make it operational.

Commissioner Bonitz questioned if the motion succeeded, when would the tank be a benefit to the town?

Engineer Kent Jackson answered that after the valve is in operable it would be an immediate benefit by providing another connection point to the feeder main to US 501 and having a secondary feed along Chatham Park would benefit when water pressure is low. It would also be a great connection point for future western intake partners.



Commissioner Shipp made a motion to approve the acceptance of the infrastructure with McKim and Creed will replace the valve and provide a 12-month warranty, Chatham Park paying for the chlorination and Town of Pittsboro will provide the water and McKim and Creed will provide a written guarantee to work with the town to make it operational until the end of the calendar year and seconded by Commissioner Farrell.

Vote: Aye-3 Baldwin, Farrell, Shipp Nay-02 Bonitz, Vose Motion Passed.

2. Rezoning – REZ-2019-01 – Industrial Park Drive (Roberson’s Walk), Halle Companies

Planner II Janie Phelps shared maps and background information via power point presentation. Laura Holleman, Project Planner for McAdams Co., 1 Glenwood Avenue Suite 201, Raleigh provided a presentation.

Commissioner Shipp asked why the affordable housing policy is not being utilized with this project.

Mr. Mac McCarley stated that a 4.23 dwelling units per acre and did not want smaller lot sizes or density bonuses while not asking for incentives in exchange.

Commissioner Shipp questioned the timeline of development in relation to sewer capacity and Mr. McCarley stated that they understood that there was not a current timeline for sewer capacity and plan to build in phases when sewer capacity became available.

Commissioner Farrell was concerned that losing M2 district to residential use.

Mr. McCarley shared his opinion of industrial growth outside of city limits to avoid taxes and growth potentially happening in Moncure close to VinFast.

Planning Director Theresa Thompson shared that staff recommended removing highest intensity use of the M2 district and determine the highest and best uses for the land and what was the best interest for the town.

Discussion ensued determining the Board of Commissioners vision for commercial or residential usage for the area presented.

Commissioner Bonitz made a motion to table indefinitely and seconded by Commissioner Shipp.

Vote: Aye-4 Baldwin, Bonitz, Farrell, Vose Nay-1 Shipp Motion passed.

NEW BUSINESS

- 1. Budget Amendments for Enterprise Fund**
 - a. Ordinance for ARPA Funding**
 - b. Ordinance for Enterprise Fund Rebalance**
 - c. Resolution for Closing Capital Project Fund (65) Haw River Intake Improvements - \$50,000.00**
 - d. Resolution for Closing of Capital Project Fund (95) Hearne Road - \$257,745.00**

Town Manager Chris Kennedy reviewed budget amendments for Enterprise Fund for the Mayor and Board of Commissioners.



Commissioner Shipp made a motion to approve all four points of New Business as presented, seconded by Commissioner Vose.

Vote: Aye-5 Nay-0 Motion carried unanimously.

PUBLIC HEARINGS #2

1. Fiscal Year 2022-2023 Board of Commissioners Public Hearing #2

Town Manager Chris Kennedy reviewed the changes to the proposed budget for fiscal year 2022-2023.

Mayor Pro Tem Baldwin made a motion to close public hearing, seconded by Commissioner Vose.

Vote: Aye-5 Nay-0 Motion carried unanimously.

MISCELLANEOUS

- 1. None


CLOSED SESSION

- 1. None.

ADJOURNMENT

Commissioner Farrell made a motion to adjourn at 10:29pm, seconded by Commissioner Shipp.

Vote: Aye-5 Nay-0 Motion carried unanimously.


Cindy S. Perry
Cindy S. Perry, Mayor

ATTEST:

Carrie L. Bailey
Carrie L. Bailey, Town Clerk