

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, APRIL 25, 2016
7:00 PM

Mayor Cindy Perry called the meeting to order and called for a moment of silence in remembrance of former Commissioner Max G. Cotten who passed away on Friday.

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., Planning Director Jeff Jones, Engineer Fred Royal, Finance Director Heather Meacham, Lt. Troy Roberson and Parks Planner Paul Horne.

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

Vote Aye-5 Nay-0

CONSENT AGENDA

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

1. Approve Minutes of the April 11, 2016 Regular Meeting.
2. Approve Resolution Authorizing the Contract with Rives and Associates, LLP for Auditing Services for Fiscal Year 2016 Financial Statements.
3. Accept Grant Funding for Park Signage and authorized Paul Horne to sign the Service Agreement.
4. Approve Budget Amendment Ordinance for Pittsboro Elementary School Road Sidewalk Project.

Vote Aye-5 Nay-0

A RESOLUTION AUTHORIZING THE CONTRACT WITH RIVES AND ASSOCIATES, LLP FOR AUDITING SERVICES FOR FY 2016 IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 83-94

GRANT FUNDING FOR PARK SIGNAGE IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 95-98

BUDGET AMENDMENT FOR FY 2015-2016 IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 6

REGULAR MEETING AGENDA

CITIZENS MATTERS

Pam Cash Roper read the following prepared statement into the records:

My name is Pam Cash-Roper and I live at Bellemont Pointe Apartments in building 167, Apartment 108.

I grew up in Chatham County and my family has deep roots in the community.

Growing up on farm, I never imagined that I would live in a community like Bellemont Pointe, but I am grateful that Solstice Partners developed the community behind Lowes Home improvement and the Carolina Brewery.

For years I was taking care of my ill husband, Keith, and we lived on family land in a trailer south of town in the county.

After Keith passed away, I was alone in the country on a nice piece of property, but living in substandard housing.

It was a very difficult time for me and my family.

Fortunately, in December of 2015, I became aware of a new affordable community in Pittsboro called Bellemont Pointe.

The community had 76 rental units that qualify as affordable housing or “income based” housing.

I applied in December to get a unit and I was very pleased to get accepted as a tenant by the management company.

In January, I moved into my brand new unit. Since I have been there, I have seen all of the units fill up and today I live in a very diverse community with folks from Siler City, Pittsboro, Goldston and Chatham County.

The community is safe and my housing is healthy and energy efficient.

For example, my power bill went from about \$240 a month to \$65 a month, which means I can spend that extra money on my housing, eating at Virlie’s and enjoying the Town of Pittsboro.

I am well aware that everyone on the Town Board is in favor of affordable housing in Pittsboro.

From personal experience, I highly recommend doing another project like Bellemont Pointe in the Town with Solstice Partners.

If you have any questions, I am glad to answer them and you are more than welcome to stop over and get a tour from me personally of my unit and the community.

Mayor Perry thanked Ms. Roper for opening up her home for her to tour.

Heather Johnson (member PBA) wanted to make the Board of Commissioners aware that the PBA have set aside funds for two major events downtown this year. Pittsboro Summerfest on July 3, 2016 (a July 4th style event) and they are working on Holly Days in December.

Ms. Johnson said the PBA has set \$5,500 for the July 3, 2016 event and Chatham Park has agreed to pay \$1,500 for the concert stage. They have everything covered except about three hours of security time and they wondered if the Town could help with that.

Leslie Oakley stated she is the Public Affairs Representative for the Church of Latter Day Saints. They will be having a ground breaking for a new building on Saturday April 30, 2016 at 10 am and she invited everyone to come. She stated they will begin clearing the land in early May and 365 days after that they will be in their new building.

COMMISSIONER UPDATES

Mayor Updates – Mayor Perry stated she has attended the following since the last meeting.

- Joint Meeting with NCDOT and downtown businesses.
- Spoke at the Kiwanis meeting.
- Greeted the Chatham County Linemen at Duke Energy on Lineman Appreciation Day.
- Attended the PBA meeting.
- Attended an EDC Infrastructure committee meeting.
- Went to a social event – Tammy Lynn Center for Developmental Disabilities.

Commissioner Foley said several of the Board members attended the PBA Social, she attended the Chatham Conservation Presentation on frog species in Chatham County and traveled to several schools in Chatham County today meeting some of the young writers.

- EDC
- RPO – Commissioner Fiocco stated the next TARPO meeting will be held in Pittsboro at the Agricultural building on May 19, 2016.
- Fairground Association
- PBA/Downtown – Commissioner Fiocco said the next meeting is May 11, 2016 at 9 am at Roadhouse.
- Triangle J Council of Governments – Commissioner Baldwin said there is a meeting on Wednesday of this week.
- Main Street – Commissioner Fiocco said the next meeting will be May 4, 2016 at 7 pm here at Town Hall.

- Climate Change

Commissioner Fiocco stated there will be a Public Presentation on the SIP on May 18, 2016 at 7:30 p.m. at the Dunlap Building.

PUBLIC HEARING

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

Vote Aye-5 Nay-0

REQUEST TO REZONE 68 FAYETTEVILLE STREET FROM R-12 (MEDIUM RESIDENTIAL) TO C-2 HIGHWAY COMMERCIAL (REZ-2016-01)

Planning Director Jeff Jones reported the property owner John Justice is proposing to rezone approximately .84 acres, 68 Fayetteville St., from R-12 (Medium Residential) to C-2 (Highway Commercial).

Mr. Jones provided a definition of each zone and some of the uses allowed. He said the request is before the Board to hold a public hearing after which it will be referred to the Planning Board for their recommendation (next week) and then back to the Board of Commissioners (with Planning Board recommendation) on May 9, 2016.

PUBLIC COMMENTS:

None

Commissioner Bonitz stated he don't see a conflict with the requested change and he is in favor of it.

Commissioner Fiocco asked if this rezoning will preclude use as a residence. Mr. Jones said yes it would.

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

Vote Aye-5 Nay-0

NEW BUSINESS

PRESENTATION FROM ECO CP PARTNERS, LLC (KIRK BRADLEY, JOHN FUGO)

Bubba Rawls introduced Kirk Bradley and John Fugo who then went over the following PowerPoint presentation introducing Eco CP Partners LLC. They will be developing the first phase of their commercial development (a shopping center).

Mr. Fugo stated they will be developing a 44 acre parcel next to Bojangles (old trailer park site).

They came to introduce themselves and their company.

- Eco CP Partners (ECP) will be developing the first phase of commercial property at Chatham Park in Pittsboro, NC.
- ECP is an affiliate of the Eco Group.
- John Fugo and Kirk Bradley formed The Eco Group in 2009 to formalize their development projects.
- A recent project of Eco Group is Westpoint at 751, a mixed-use project near Southpoint Mall in Durham. Montgomery Development Carolina Corp (MDCC). MDCC is a national general contractor owned by John Fugo and his wife, Christine Edwards.
- Two distinct entities exist under the Montgomery umbrella: MDCC and Montgomery Carolina LLC: MDCC: National general contracting company with projects in 38 states, focusing on mixed-use projects with retail and office uses and Montgomery Carolina LLC: Full-service real estate brokerage company that leases and manages commercial properties.
- Currently, Montgomery is working on The Veranda, the initial commercial development project of Briar Chapel on Hwy 15/501 in Chatham County, NC.
- Southern Village's Market Street is one of Montgomery's most visible projects.
- Montgomery organized the Market Street Association, responsible for promotions and community events for Southern Village and surrounding areas.
- Lee-Moore Capital Company (LMCC) is a family-owned real estate development firm based in Sanford, NC.
- The firm is owned by Kirk Bradley and Frank Proctor and has projects in Durham, Wake, Chatham, Alamance, Guilford and Lee Counties.
- LMCC projects include: golf course community development, single tenant retail, Wal-Mart super centers, multi-family residential, mixed-use projects, hotels, self-storage and flex/warehouse space.
- LMCC completed the Governors Club Planned Unit Development (GC PUD), which encompasses over 2,000 acres in Northern Chatham County.
- The GC PUD includes: the gated community, Governors Village, Governors Park, Governors Lake and Governors Forest neighborhoods.
- Kirk Bradley serves as Chair of Central Carolina Works, a three-county partnership helping high school students utilize the Career and College Promise program (C&CP).
- Kirk is a long-time investor in the Chatham EDC and a member of the Chatham Public Education Ambassadors.

Eco Group Team Members:

- John Fugo, Kirk Bradley
- Kevin Scanlon joined Lee-Moore as the CFO in December 2013. Kevin previously focused on Mergers & Acquisitions Due Diligence, primarily for private equity concerns, while with Ernst & Young in Boston, MA.
- Linnie Causey is an attorney with over 30 years' experience in land use work. Recently, Linnie has navigated complex public/private developments between local municipalities, neighborhood organizations and developers.

By forming Eco Group, Montgomery and Lee-Moore assemble an investor group comprised of many Chatham County residents, who are interested in being involved in Chatham's growth.

Questions were asked about their plans for downtown and Mr. Bradley said they just made the agreement last week and that they are present tonight to introduce themselves to the Board of Commissioners (they had introduced themselves to Staff) before they started meeting with citizens. He said they would start meeting with people after tonight's meeting.

Mr. Rawls stated that a Hotel and Grocery Store will be in the shopping center plan.

CONSIDERATION OF STATE TRANSPORTATION IMPROVEMENT PROJECTS (STP)

Planning Director Jones stated that staff from Chatham County, Siler City and Pittsboro met on April 1, 2016 to discuss the project list and to decide on a method for ranking the projects. Collectively, they decided to allow the rankings from NCDOT be their guide for determining the Top Ten projects. They ranked the Top Ten projects as follow:

1. A130469 – Siler City Airport runway extension and parallel taxiway
2. B140577 – E 3rd Street Sidewalk in Siler City
3. B150684 – Chatham Avenue Sidewalk in Siler City
4. H090555A – NC 751 widening
5. B150436 – Downtown Siler City Pedestrian Improvements
6. H090568 – Pittsboro Moncure Road modernization improvements
7. B150689 – 2nd Avenue Road Diet in Siler City
8. H090562 – Improvements to Sanford Rd (US 15-501) in Pittsboro
9. B150427 – Hamlets Chapel/Jones Ferry bike lanes
10. H090302 – NC 87 Modernization improvements

There was discussion on how projects are scored.

After discussions a motion was made by Commissioner Foley seconded by Commissioner Baldwin to approve the SPOT 4.0 Recommended Ranked Project List for Chatham County, Town of Pittsboro and Town of Siler City as recommended above.

Vote Aye-5 Nay-0

PAYMENT FOR 1998 CAROLINA LIVING AND LEARNING CENTER WASTEWATER LIFT STATION AND FORCE MAIN UPSIZING

Manager Gruesbeck stated in 1998, The UNC School of Medicine and the Town of Pittsboro installed a wastewater lift station (aka "pump station") and force main to serve UNC School of Medicine's Carolina Living and Learning Center (CLLC) and future developments near US 64 bypass.

The Town requested that the lift station and force main be upsized from UNC's original design in order to accommodate future development. The total estimated cost of upsizing the lift station and force main was calculated to be \$88,650. The Town and UNC School of Medicine agreed that the upsize costs would be "repaid to the University by the Town over time upon mutually agreeable terms."

The improvements were subsequently installed. However, the UNC School of Medicine did not grant an easement to the Town for the lift station. Likewise, the Town did not pay the costs of upsizing the utilities.

The UNC Property Office, via the State of North Carolina Attorney General's Office, has prepared and forwarded an unsigned Easement to the Town for the area of property where the Town's lift station currently resides. The UNC Property Office has assured me that the State will sign the Easement upon payment of One (1) dollar plus the Town's cost of upsizing the force main and lift station (\$88,650).

Manager Gruesbeck stated he recommends paying the full cost due to the UNC School of Medicine. As request that you authorize him to prepare a budget amendment to bring back for Board approval.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Bonitz to authorize the Town Manager to prepare Budget Amendment to reimburse UNC School of Medicine for the cost of upsizing wastewater force main and lift station infrastructure.

Vote Aye-5 Nay-0

ADDITIONAL UPDATES AND REPORTS

MANAGER'S UPDATE ON PROJECTS

Manager Gruesbeck went over the update of projects submitted in the packet.

Chatham Park PDD Master Plan: Additional Elements – Preston Development reports that the Additional Elements will be submitted to the Town in April 2016. Staff will provide an overview of process for the Additional Elements to the Town Board of Commissioners during a subsequent meeting. The first Small Area Plans are anticipated by early May 2016.

Unified Development Ordinance (UDO) Joint Meeting w/Planning Board: A second joint meeting to continue discussion on the UDO Module 1 draft was held on Monday, April 18, 2016. Roger Walden will be assimilating the notes and comments from the Town Board and Planning Board and producing a document for public review and comment. Jeff Jones, Town Planner, will be scheduling a public review session upon completion of Module 1.

Downtown Vision – Traffic Circle: A public information meeting was held April 12, 2016 at the Pittsboro Roadhouse and General Store at 6:30 to discuss the most recent design of the Traffic Circle. I have included a drawing from Kimley Horne of the proposed improvements that will be presented by Kimley Horne Staff. Fred Royal, Town Engineer also attended to speak to the possible coordination of storm water controls at the northwest corner of the intersection. The coordination of these improvements appears favorable.

Town Hall Offices – Minor Remodels and Improvements: Police Chief Crutchfield is seeking a rehab of the Police Department's evidence storage and seeks to accommodate room for existing and future police officers. John Poteat, Utilities Director, Chief Crutchfield and I have discussed a couple of minor options to create additional space within Town Hall within the current police budget at an estimated cost of under \$4,000. Our anticipated process, such as it is would go

something like this: Manager Gruesbeck presented the building plan and showed the following changes he wanted to make:

1. I would vacate my current office. This would become office space for police officers.
2. We will clean out Paul Horne's old office (former copy room) and clean out the closet in the rear of the Board Room.
3. In Mr. Horne's old office, we would knock down the walls between my current office and the current closet in the rear of the Board Room, which would create additional space for a new, slightly larger office. This would become my new office location.
4. We would paint and rewire the rehabbed offices.
5. The "half wall" in the lobby area would be rehabbed to allow for the Police Department to escort visitors from the front lobby directly to the current Police Department offices, as opposed to escorting them through the file/mail/computer network room or office hallway.

Commissioner Fiocco suggested that the board continue to have the joint meetings with the planning board (because they were so informative). He suggested the third Monday (2 hours) of each month be set aside for that purpose. Planning Director stated he is going to speak with the Planning Board to see if they are interested as well. He suggested that they be scheduled for the foreseeable future.

FINANCE OFFICER'S SUMMARY REPORT FOR FY 2015-2016 THROUGH MARCH 31, 2016

Finance Director Heather Meacham gave a summary of the town's finances through March 31, 2016.

COMMISSIONER CONCERNS

Commissioner Bonitz asked the status of the RFQ for Financial Advisor. Manager Gruesbeck stated he received another proposal and he will be bringing it back to the Board shortly. Manager Gruesbeck stated what the Financial Advisor duties will be.

Commissioner Bonitz stated he had been approached by a citizen on the significant increase in the penalty for reconnection of water services. There was a discussion on that.

Commissioner Bonitz asked where we stand on some of the properties that are no occupied and not helping the town. Mayor Perry said she drafted letters for the abandon property on Hillsboro Street and sent it to the owners.

Commissioner Farrell stated he has had several people come to him about people wanting to make a left turn off of Thompson onto Hillsboro Street. It causes such a back up of traffic. Commissioner Farrell wondered if a no left turn during certain hours or days would be possible. Commissioner Foley stated she would hate to have a no left turn there because we are trying to get people to go into downtown. Manager Gruesbeck said he would look into it.

Mayor Perry stated she had received complaints about speeding on Thompson Street and she spoke with Chief about it.

Commissioner Fiocco stated he noticed the pavement condition on Pittsboro School Road and did not notice it on the pavement analysis. Manager Gruesbeck stated it does not have to be on the list, if it needs to be paved just let him know. Commissioner Fiocco asked that it be looked at.

Commissioner Fiocco stated he wanted to talk about what Heather asked for tonight for the July 3, 2016 celebration (\$1,100) he thinks we should cooperate with the PBA.

Manager Gruesbeck stated the \$1,100 is not an issue. The issue is that weekend is the biggest vacation weekend for staff. To close off the roadways it will take twelve officers for a seven hour period. The Town does not have enough staff to do it without assistance from other departments.

Commissioner Fiocco said he is glad to know staff is working with PBA.

Manager Gruesbeck stated that NCDOT will have to approve the application to close the road from 2 pm to 9 pm. He made another suggestion that Chatham Street would be a great spot and it would not require closing the roadways.

Commissioner Farrell said he agrees with Manager Gruesbeck the event Northwood High School held last weekend on Chatham Street would be an excellent location.

ADJOURNMENT

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to adjourn at 9:15 p.m.

Vote Aye-5 Nay-0

Cindy Perry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk