

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, SEPTEMBER 14, 2015  
7:00 PM

Mayor Terry called the meeting to order and asked for a moment of silence.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Commissioner Farrell.

**ATTENDANCE**

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

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Chief of Police Percy Crutchfield and Finance Officer Nancy Emslie.

**CONSENT AGENDA**

Commissioner Fiocco made a motion to approve the consent agenda as submitted with changes to the minutes as submitted tonight at the beginning of the meeting seconded by Commissioner Farrell. Consent Agenda contains the following items:

1. Approved minutes of the August 24, 2015 regular meeting.
2. Approved a Resolution Closing South Masonic Street from East Street to Salisbury Street on October 3, 2015 between the hours of 6 am to 6 pm for Columbus Lodge #102 Masonic Family Fun Day, Car Show and Rib Fest.
3. Approved an Ordinance Declaring a Road Closure for the Christmas Parade to be held December 13, 2015 at 2 pm – 5 pm.

Vote Aye-5 Nay-0

**A RESOLUTION TO TEMPORARILY CLOSE SOUTH MASONIC STREET IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 231**

**AN ORDINANCE DECLARING A ROAD CLOSURE FOR A CHRISTMAS PARADE IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 130**

**CEREMONIAL**

**RECOGNITION AND PRESENTATION OF 8/10/15 RESOLUTION TO EAST CHATHAM BLUE 12U LITTLE TAR HEEL LEAGUE TEAM**

Mayor Terry stated the members of the Chatham Blue 12U Little Tar Heel League Team and coaches are present tonight to receive a presentation of the Resolution approved by the Town Board on August 10, 2015. Mayor Terry read the resolution into the records:

WHEREAS, East Chatham Blue is a Little Tar Heel League team based in Pittsboro and Eastern Chatham County; and

WHEREAS, the team travels and competes against other teams from around the state; and

WHEREAS, East Chatham Blue capped off a 15-0 run through the post season with a 4-0 mark at the 2015 Little Tar Heel League State Championships played in Little Washington, NC; and

WHEREAS, the success of East Chatham Blue and its championship in 2015 brings honor and good will to Pittsboro and Chatham County;

**NOW, THEREFORE, BE IT RESOLVED BY** the Town of Pittsboro Board of Commissioners to honor the accomplishment of the team, its players, the organization, the coaches and all of the family members, friends and fans who supported the team and its drive to become 2015 Little Tar Heel League State Champions.

Adopted this 10<sup>th</sup> day of August, 2015.

Chad Johnson accepted the Resolution and acknowledged the members and coaches that could not be here and asked the ones present to come forward and he passed out their copy of the Resolution. Mr. Johnson thanked the Board for the recognition.

### **PROCLAMATION: ARTS IN EDUCATION WEEK**

Mayor Terry read the following proclamation into the record:

**WHEREAS**, the Town of Pittsboro recognizes that arts education, comprising a rich array of disciplines including dance, music, theatre, media arts, literature, design and visual arts, is a core academic subject and an essential component of a complete and balanced education for all students; and

**WHEREAS**, arts education enables students to develop critical thinking and problem solving skills, imagination and creativity, discipline, alternative ways to communicate and express ideas, and cross-cultural understanding which supports academic success across the curriculum as well as personal growth outside the classroom; and

**WHEREAS**, arts education builds a school environment of high expectation, discipline, and academic rigor, strengthens student problem-solving and critical thinking skills and provides another opportunity for family, community, and business involvement with schools; and

**WHEREAS**, where schools and communities are delivering high-quality learning opportunities in, through, and about the arts for children, extraordinary results occur; and

**WHEREAS**, research has shown that eighth graders from under resourced environments who are highly involved in the arts have better grades, less likelihood of dropping out by grade ten, have more positive attitudes about school, are more likely to go onto college, and show more civic engagement; and

**WHEREAS**, attracting and retaining the best teachers is vital and can be achieved by ensuring schools embrace the arts, becoming havens for creativity and innovation; and

**WHEREAS**, to succeed in today's economy, our students must masterfully use words, images, sounds, and movement to communicate;

**WHEREAS**, as the Nation works to strengthen its foothold in the 21st century global economy the arts equip students with a creative, competitive edge; and

**WHEREAS**, art is integral to the lives of many United States citizens and can improve the vitality of our community and the Nation; and

**WHEREAS**, the week beginning on the second Sunday of September has been designated National Arts in Education Week.

**NOW, THEREFORE**, I, William G. Terry, Mayor, do hereby designate September 13–19, 2015 as:

### **ARTS IN EDUCATION WEEK IN THE TOWN OF PITTSBORO**

and urge all citizens to celebrate and join in the special recognition of the value of arts education in our community.

This the 10<sup>th</sup> day of September, 2015.

### **PROCLAMATION: JOANNA MOORE 100<sup>TH</sup> BIRTHDAY**

Mayor Terry read the following proclamation into the record:

**WHEREAS**, Joanna Moore Leach, a citizen of the Town of Pittsboro, was born on September 26, 1915, in Chatham County, North Carolina, during the Presidency of Woodrow Wilson, six months before American forces under General Pershing first participated in World War I, three days before the UNC Tar Heels defeated the Citadel football team by a score of 14 to 7, and during a period that came to be known as “the Great Migration” from 1910 to 1920, when African Americans by the thousands moved to Northern industrial cities to find work to fill labor shortages created by World War I; and

**WHEREAS**, Joanna Moore Leach has been a dedicated citizen of the United States of America for these 100 years, witnessing and experiencing the terms of seventeen United States Presidents while living, working, volunteering and worshipping in the Town

Pittsboro, North Carolina; and

**WHEREAS**, during her lifetime she worked for nineteen years in the medical clinic of Dr. K. M. Mathiesen which operated in downtown Pittsboro from 1938 to 1967 and she worked in the McGhee Pharmacy for about four years; and

**WHEREAS**, in June 1935 she was married to Robert Defossett Leach, her husband of 43 years, and subsequently raised three children with him here in the Town of Pittsboro; and

**WHEREAS**, she has served her community as a life-long member of the Mount Sinai AME Church in the Town of Pittsboro; and

**WHEREAS**, on behalf of the people of the Town of Pittsboro, I declare that we are honored to count Joanna Moore Leach among our most honored citizens.

**NOW, THEREFORE**, I, William G. Terry, Mayor, do hereby designate September 26, 2015 as:

**A DAY OF CELEBRATION OF THE 100<sup>TH</sup> BIRTHDAY OF  
JOANNA MOORE LEACH  
IN THE TOWN OF PITTSBORO**

and urge all citizens to celebrate and join in the special recognition of this honored member of our community.

This the 14<sup>th</sup> day of September, 2015.

**REGULAR MEETING AGENDA**

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

Vote    Aye-5    Nay-0

**CITIZENS MATTERS**

Liz Cullington – 390 Rocky Hills Road – said the Planning Board agenda for tomorrow night is not on the website and it is normally on there by Friday before the meeting on Monday.

**OLD BUSINESS**

**PROCESS FOR REVIEW AND APPROVAL OF SMALL AREA PLANS PURSUANT  
TO THE CHATHAM PARK MASTERPLAN**

Manager Gruesbeck stated following comments at the August 24, 2015 meeting the revised SAP has the following incorporated:

- Clarification that the term “descriptions” in the required information about existing conditions includes use of maps and narratives.
- Clarification that required information about existing public infrastructure is to include information about existing streets, utilities, and parks.
- Clarification that the term “descriptions” in the required information about proposed development includes use of maps, narratives, and illustrations.
- Addition of a required statement of approach to provision of transit services.
- Clarification that, regarding reference to SW Shore Plan recommendations, the applicant is to list applicable recommendations and identify which are being addressed and implemented and which are not.
- Clarification that analyses of financial impacts should include consideration of both public facilities and public services.
- Clarification that a reference to 10 days for determination of completeness of a submitted application means 10 business days.
- Change to the approach of the required up-front Public Information Meeting: revised to direct that the proposed meeting be set up, facilitated, and summarized by Town Staff rather than the Applicant (with provisions for cost recovery of this change to be built into the application submittal fee).
- Clarification that the Planning Board may prepare a recommendation to the Town Board, instead of “shall issue.”

Manager Gruesbeck stated the current Fee Schedule for Planning-related applications specifies an application fee for a Small Area Plan at \$825. Staff believes that the review process outlined here will require more resources than would be covered with that fee, and accordingly recommend that the Town Board of Commissioners consider a fee structure on September 28, 2015.

There was discussion about public hearings. Attorney Messick stated there is a difference between public hearings and public input. Public Hearings are not required by law in this matter. A public hearing is a legal proceeding where affected property owners are required to be notified.

There was discussion about the Southwest Shore Assessment. Commissioner Foley asked that an impact study be required. After discussion a motion was made by Commissioner Foley that a

bullet be added that an Environment Impact Study be completed with submittal. Motion died due to the lack of a second.

Commissioner Fiocco suggested changing the language where minor changes would not have to go back to the Planning Board but could be approved by the town board. After discussion he said he was okay with the way it is and he will be working on possible language thing to the process.

Commissioner Fiocco made a motion seconded by Commissioner Baldwin that under “Submittal Requirements” “Description of proposed development within the Small Area using maps, narratives, and illustrations, including:” that an additional bullet be added to read: proposed approach to public facilities: town administration, public water supply and distribution systems, public wastewater collection and treatment systems, public schools, fire and police facilities.

After much discussion the Board agreed that the following changes be made to the SAP Process:

Under “Submittal Requirement” bullet number three should read:

- Proposed approach to public facilities: town administration, public water supply and distribution systems, public wastewater collection and treatment systems, public schools, fire, and police facilities.

Procedures - # 6 shall read:

Review and Action by the Pittsboro Board of Commissioners: Within 30 days of the date of the Planning Board recommendation, or within 60 days of the date of referral to the Planning Board if no timely recommendation from the Planning Board has been received, unless a longer period is necessary due to the submission of Small Area Plan(s) for more than two (2) Small Areas contemporaneously, the Town Board shall consider the Application. Two weeks prior to any decision the Board shall allow public input and comment, both oral and written, upon the Application, including receiving comments at the Board of Commissioners meeting at which action is scheduled. The Town Board of Commissioners may approve the Application for a Small Area Plan, or deny if it shall find that the Application fails to comply with the requirements of the Master Plan or fails to adequately protect the public health, safety or welfare. Within seven (7) days following determination by the Town Board, the Zoning Enforcement Officer shall notify the Applicant of the decision by first class mail.

After much discussion a motion was made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the Process for Review and Approval of Small Area Plans Pursuant to the Chatham Park Master Plan with the corrections above and that a copy of it be included as a FYI item in the next agenda packet.

Vote    Aye-5    Nay-0

**A COPY OF THE APPROVED PROCESS FOR REVIEW AND APPROVAL OF SMALL AREA PLANS PURSUANT TO CHATHAM PARK MASTER PLAN IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 232-236**

## NEW BUSINESS

### INSTALLMENT FINANCING: CAPITAL PURCHASES FOR UTILITIES DEPARTMENT AND WATER TREATMENT PLANT

Ms. Emslie stated she received four bids. BB&T had the best rate and great terms.

Motion made by Commissioner Foley seconded by Commissioner Baldwin to approve the resolution authorizing financing terms with BB&T Governmental Finance.

Vote Aye-5 Nay-0

### A RESOLUTION APPROVING FINANCING TERMS WITH BB&T IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 237-238

## UPDATES AND REPORTS

### MANAGER'S UPDATE ON CAPITAL PROJECTS

Manager Gruesbeck gave the following update:

**Page Vernon Memorial Park** - Benches have been installed. The picnic table and fencing should be installed in the next few days. Plaques have been ordered. The memorial plaque has been installed. Lighting is anticipated for installation during the week of September 12, 2015. Landscaping is expected in the next few weeks as the weather cools (see attached pictures). Page Vernon Memorial Park opening event is planned for October 10, 2015.

**Planning Director Recruitment & Replacement** – Jeffrey Jones has been hired as the new planning director and will begin on September 28, 2015. He previously worked the Town of Holly Springs for twelve (12) years as Senior Town Planner where he was responsible for managing a full range of services including current and long-range planning, support to their Planning Board, the Town Board of Commissioners, Board of Adjustment as well as its Unified Development Ordinance (UDO). Jeff also worked with numerous Small Area Plans during years of residential and commercial growth. Upon Jeff's arrival, we will be looking to hire a newly created and budgeted "Planner II" position.

**East Street Sidewalk** - Concrete has been poured from the US Post Office to the MHP Drive. Storm drain structures have arrived and expected to be installed in the next few days with concrete poured following the installation of the structures. NCDOT is responsible for construction inspection and administration.

**Utilities Planning** – Staff is preparing a report on Town WWTP and water distribution for discussion on September 17, 2015 from 4pm-8pm. Agenda and slides will be distributed at the Board meeting on September 14, 2015. My suggestion for the general format of the meeting is that it be similar to your "Retreat" sessions of the past couple years: a more informal arrangement with Commissioners sitting at a table away from your typical seats.

**Davie Street Subdivision** – You will recall from your review at the August 24, 2015 meeting

that the applicant was to address concerns raised by the Town Board of Commissioners in preparation for your consideration on September 14, 2015. The Applicant forwarded those changes to Roger Waldon on Friday, September 11, 2015 without sufficient time for key staff to review the feedback. Mr. Waldon advises that the Board should expect to receive the response from the Applicant to your concerns at the September 28, 2015 meeting.

**Dr. Knappe/Dioxane in Haw River** – This summer you received an email from Dr. Knappe (North Carolina State University) about work he is doing around the study of a potential pollutant (dioxane) in the Haw River that is currently unregulated. This presentation has been scheduled for your September 28, 2015 Town of Pittsboro Board of Commissioners meeting.

#### Mayor Updates

- EDC
- RPO
- Fairground Association – the fair was one of the best in 25-30 years! Commissioner Baldwin thanked everyone for coming.
- PBA/Downtown – Commissioner Fiocco said they (PBA) had contacted NCDOT about a year ago about putting up signs posting public parking to the public parking lots (County lots) and Greg Lewis is asking his landlord for a sign to be put up across from the Roadhouse saying “Public Parking Here”. They had been waiting for the signs to be installed. Recently they found out they were waiting for PBA get letters from the County and Mr. Strafford giving them permission to do the work. The letters should go out this week.

### COMMISSIONER CONCERNS

Commissioner Farrell said there has been a lot of talk about what type parking is going to be put in with the Downtown Renovation. They do not want to lose a parking space because they are so limited.

Commissioner Foley stated that the Town Facebook page has 2,000 likes this week and over reached over 14,000 people for the week.

Commissioner Fiocco stated he has a comment concerning a comment Mayor Terry made at the last meeting when they were dealing with the SAP updates. There was a comment made by Mayor Terry that you were looking forward to the Planning Boards recommendations not being written by the applicant. Commissioner Fiocco said he doesn't appreciate that. He thinks that suggests that the Town Staff and Planning Board are not doing their jobs. He thinks they are doing a great job.

Commissioner Fiocco said he feels it is a disservice to characterize their work as nothing other than allowing some applicant to do the work for them. Mayor Terry said Commissioner Fiocco's comments were noted and that he understood him perfectly (comments last meeting).

Commissioner Fiocco said it is an insult to Staff and the Planning Board and he wishes that he (Mayor Terry) would refrain from such statements because he don't think he has/can produce any information to prove that is the case. Mayor Terry said – noted.

**CLOSED SESSION**

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

Vote Aye-5 Nay-0

Motion made by Commissioner Baldwin seconded by Commissioner Turner to go out of closed session.

Vote Aye-5 Nay-0

**ADJOURNMENT**

Motion made by Commissioner Turner seconded by Commissioner Foley to adjourn at 9:23 p.m.

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William G. Terry, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC  
Town Clerk