

Resolution 2023-05 Confirming Designating of an ERA and Approving Real Property Tax Deductions and Abatement Benefits and Supporting Findings of Fact and Order
Ordinance 2023-03 To Establish an Employer Funding Schedule of Health Savings Account Contributions
Ordinance 2023-04 Transferring Dormant Fund Balances, Dissolving Dormant Funds

PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, MARCH 21, 2023 @ 7:00 PM

QUORUM:

Jarod Baker
Terry Northern
William Majeske
Randy Price
Jay Thompson - ZOOM

Jim Buddenbaum, Attorney
Shari L. Ping, Clerk Treasurer
Police Chief Scott King

OTHERS: Jason Love, Town Manager; Jack Swalley, Building Commissioner; Robin Swalley, Parks & Rec Superintendent; Eric Wathen, ELW Consulting; Brett Clark, Garmong Construction Services; Brian Bilger, HCEDP; Dan Keers, Ark Park LLC; Spring Deaton, 86 Woodview Drive

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

President Jarod Baker welcomed everyone and brought the Council Meeting to order by establishing a quorum. Four (4) of the five (5) members are present. Jay Thompson joined via ZOOM. Jarod then asked the Council, staff, and audience to stand for the Pledge of Allegiance and to follow with a Moment of Silence.

APPROVAL OF MINUTES:

President Jarod Baker asked if there were any additions or corrections to the minutes from the February 21, 2023, meeting. There being none, Jarod Baker made a motion to approve the minutes, Bill Majeske seconded. Roll Call Vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 5-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the March 7, 2023, meeting. Jay Thompson mentioned that the address was incorrect for the Kam Drive building. Jarod Baker made a motion to approve the minutes as amended, Randy Price seconded. Roll call vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 5-0.

PUBLIC HEARING:

President Jarod Baker opened the Public Hearing by going over the two (2) pieces of property, 101 & 201 W Kam Drive, to be abated. Jarod then opened the hearing to any public comment. There being none, Jarod closed the Public Hearing. He then opened for Council comments. Terry Northern 1) 401 W Kam Drive was proposed to being abated with the \$200 fee, however, we adopted Resolution 2022-08 which raised the fee to \$500. He feels Mr. Keers should pay the \$500. 2) There was a new form in place for scoring 401 & 301 W Kam Drive and is different than the one used by Financial Solutions Group (FSG). Terry did his own scoring for 101 & 201 W Kam Drive and scored an 18 (8-year abatement versus a 10-year). Jarod explained that the MOU in place allowed for the \$200 fee on the first four (4) buildings. Terry respects the MOU and the \$200 fee. Jay Thompson mentioned the math is wrong on annual number of salaries and the cost of the building is off. Jim Buddenbaum asked about the salaries and what is wrong with them. Jay explained he did the basic math and came up with a different amount. Jay then asked about the personal equipment and that the personal property tax is going away. Jarod explained that personal property is not a part of the discussion. He asked Jay to bring this up during the actual discussion of the application. Jarod Baker made the motion to approve **Resolution 2023-05 Confirming Designating of an ERA and Approving Real Property Tax Deductions and Abatement Benefits and Supporting Findings of Fact and Order** for 101 and 201 W Kam Drive over the 8-year period as follows – Years 1-3 – 100%; Year 4 – 80%; Year 5 – 60%; Year 6 – 40%; Year 7 – 20%, Year 8 – 10%. Bill Majeske seconded. Roll call vote: Jay-no, Randy-yes, Terry-no, Jarod-yes, Bill-yes, motion passes 3-2.

PUBLIC COMMENT:

STAFF REPORTS:

TOWN MANAGER:

Jason Love gave an update on the new trash truck – should be ready within the next week.

POLICE CHIEF: (see attached report)

Police Chief Scott King mentioned that Jay Thompson discovered that he had the wrong date in the report. Scott apologized for that. He had nothing else to report.

CLERK TREASURER:

Shari Ping distributed the 30/60/90-day list earlier this afternoon. She reported there are only two (2) accounts in the 90-day period and 10 or 12 accounts in the 60-day period.

BUILDING COMMISSIONER: (see attached report)

Jack Swalley, Interim Building Commissioner, will answer any questions. Terry Northern asked if they found a spot for the roofer. Steve Maple explained that they don't have anything available to meet his needs.

TOWN COMMITTEE REPORTS:

BZA – no meeting

FIRE BOARD: (see attached report)

Bill Zeunik was not present. Bill Majeske had nothing else to report on.

PARK & RECREATION: (see attached report)

Robin Swalley wanted it on record and thanked Cornwell Plumbing for donating all their labor costs with the plumbing in the concession stand and restrooms. Robin also thanked Jack Swalley for building all the picnic tables. He saved her about \$1500 in labor.

PLANNING COMMISSION:

Jarod Baker reported that the February meeting was cancelled. And the March meeting is cancelled as well.

POLICE COMMISSION:

Police Chief Scott King wanted to commend our new reserve for chasing down the armed folks. Three (3) weeks into it and she has already put a dent in it.

REDEVELOPMENT AND ECONOMIC DEVELOPMENT:

No meeting

CONTRACTED BUSINESS:

Eric Wathen, ELW Consulting, reported the Community Crossing project has been sent out for bids with several interested bidders. They are due back and will be opened at 1:00 on April 3rd. He would like the Council to award the winning bid at their meeting on April 4th.

OLD BUSINESS

Changes to TIF & Abatement Application/Amend Ordinance – President Jarod Baker explained the reason for make these changes. He reached out to FSG to look over the application process. The current fee of \$500 is insufficient to cover all the fees included in the application process. The increase would be \$1500 fee to cover all the help associated with the scoring process. Jarod asked if they could require a CPA to be engaged in helping with the application process. Jim Buddenbaum – used to seeing a spreadsheet on the proposed project with a comparison with and without. Terry Northern said he was working with Greg from FSG and they discussed using the same spreadsheet on TIFs. It should include the Cost Benefit Analysis on both TIF and Abatement application. Terry feels it would be easier for the Council to score them if they can look at the revenue stream. Jay Thompson asked about the applications being different in the proposed development changes by 25% in square footage or 25%, they should read the same. Jay also mentioned the personal property tax going away. Jarod Baker feels we can remove it if requested by the applicant. Jarod will go back to FSG and have them make the requested changes to include projections with and

without tax abatement and TIF. Also include Appendix A & B on both applications. Terry Northern commented that he likes our old abatement ranking form, it gets away from the dollar and cents and goes by number of employees and supports the five (5) areas the State supports. Jason Love agrees with what Terry is saying. With this scenario, Ark Park is building a shell when he pulls the permit, and we have no idea who the end user is going to be in order to include the number of employees since it is not known until the building is filled. Discussion followed. Jarod will take the applications back to FSG to make the suggested edits.

NEW BUSINESS

HSA Contribution Distribution – President Jarod Baker explained that the reason for the 1st reading of an Ordinance. Jarod asked for a number to put on the Ordinance - **Ordinance 2023-03 To Establish an Employer Funding Schedule of Health Savings Account Contributions**. Jarod read the changes being made to Chapter 34, Title III of the Code of Ordinances with the addition of Section 34.07. The reason behind the change is to avoid paying someone the full amount at the beginning of the year and if they were to leave six (6) months later, all the money goes with them. Bill Majeske thinks it's a good idea. Terry Northern supports it as well. He mentioned if someone has a hardship, and the full amount is needed or if they don't need all of it, they can pay it back. Jim Buddenbaum explained how you would need to work up a payment plan and if they don't pay it gets turned over to collections. Randy Priced asked if we have a FSA or just the HSA plan. Only the HSA plan. He likes the idea. Jay Thompson likes the idea. Jarod explained this is the first reading and the second reading will be read at the next meeting for adoption. Jason Love spoke up and said you are penalizing the good ones that stay for a long time. He uses the money in the beginning of the year for his daughter who has Type 1 diabetes. Discussion followed. Jason said that we have talked about a longevity bonus, he posted for two (2) jobs in the last week and no applicants. He struggles to get employees and Scott has trouble keeping his employees. Spring Deaton asked Jim Buddenbaum if they change this do they have to be written into as an IRS perspective about adding it to the plan benefit detail. Jim explained it isn't part of the plan. Spring asked if they are solving 20% or 80% of the issue, who are you really helping? Jarod explained how we have the ability to retain some of the funds when someone leaves. Terry asked Jason about his turnover rate. Jason said it is low because he's a good boss. Terry asked Scott about his struggles with keeping good employees. Terry asked if there could be two (2) different plans. Jim Buddenbaum said it's all on one (1).

Transfer of Fund 6106 (Water Sinking-Dormant) to 6101 (Water Operating) – Jarod Baker turned this over to Shari Ping to explain the reason for doing this. Jarod Baker introduced and made the motion to approve **Ordinance 2023-04 Transferring Dormant Fund Balances, Dissolving Dormant Funds**, Bill Majeske seconded. Roll call vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 5-0.

ATTORNEY ITEMS:

President Baker went over the highlights from the engagement letter from Parr Richey on behalf of our attorney fees. Jarod asked the Council for any questions. Jim Buddenbaum said it is the same as last year. An hourly rate of \$275/hour which is the same as last year. Jarod made the motion to approve the engagement letter. Terry Northern made the motion to sign on the Council's behalf. Bill Majeske seconded. Roll call vote: Jay-abstain, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 4-1 abstain.

Jim Buddenbaum noted that one statutory reference 22-5-1.7-11 relates to if you are a government contractor and you can't invest in IRAN. It said it is repealed but it isn't.

Terry asked Jarod about the motion to approve the engagement letter, Terry made the motion to give Jarod authorization to sign on behalf of the council. Bill Majeske made the motion to approve, Terry Northern seconded. Roll call vote: Jay-abstain, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 4-1 abstain.

COUNCIL COMMENT:

- Jay Thompson - asked Scott about an update on the officer that was leaving, Scott said no update.
- asked Jason about striping on Baldauf Drive, Jason said they will wait until all of the paving is done with the Community Crossing
- Trash truck applicants-Jason said he received one (1) applicant for two (2) jobs
- asked Jack about the odor coming from WWTP. Jarod stated that Pyatt Builders will make it known during the sell of a house.
- Asked about the chicken ordinance. Jarod explained it goes through the Planning Commission first, it has been tabled.

CORRESPONDENCE:

APPROVAL OF DRAFTS & CLAIMS:


Shari Ping presented the drafts & claims for March 21, 2023, which includes all payments since our February 21st meeting. Jarod Baker made the motion to approve, Randy Price seconded. Roll call vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 5-0.


ADJOURNMENT:

Jarod Baker reminded everyone that the next meeting will be April 4th at 7:00 pm. The agenda will include Salary Manual edits, Community Crossing Grant reward, and HSA changes. Jarod made the motion to adjourn, Terry Northern seconded. Roll call vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes, motion passes 5-0.

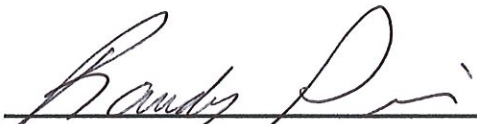
Respectfully submitted,

Shari L. Ping
Clerk Treasurer


Jarod Baker, President


Terry Northern


William Majeske


Randy Price


Jay Thompson

Attest: 
Shari L. Ping, Clerk Treasurer