

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on Tuesday, January 16, 2018 at 7:00pm in City Hall Courtroom with Mayor Pro Tem Cheek presiding. Commissioner Haiges gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Town of Siler City Mission Statement and Commissioner Siler recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Cindy Bray, Larry Cheek, Mike Constantino, Bill Haiges, and Tony Siler.

ELECTED TOWN OFFICIALS ABSENT: Lewis Fadely, John Grimes, and Thomas "Chip" Price

TOWN STAFF PRESENT: Town Manager Bryan Thompson, Human Resources Director Nancy Darden, Finance Director Roy Lynch, Planning Director Jack Meadows, Parks & Recreation Director Joseph Keel, Police Chief Gary Tyson, and Town Clerk Jenifer Johnson.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Thompson asked to add Closed Session 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, general personnel policy issues may not be considered in a closed session, a public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting, final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting and Water Levels of Reservoir under New Business.

A motion to approve the agenda as amended was made by Commissioner Siler, seconded by Commissioner Haiges and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes the December 4, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule A) and the December 5, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule B) was made by Commissioner Haiges, seconded by Commissioner Constantino and unanimously approved.

PUBLIC COMMENT

Jackie Adams, 1298 Plainfield Church Road, Siler City, NC

Adams shared the following letter from Margaret Wren de St. Aubin:

As Managing Partner of Wren Family Estate, LLC and the owner of North Carolina Travel, I would like to offer my support to the efforts of the Downtown/ Siler City Advisory Committee. Having owned a business and worked in downtown for almost thirty years, I've watched our town change dramatically. As someone who's interest is vested in Siler City, I'm pleased this group has taken such an interest in our downtown. I hope as town leaders, you will consider recommendations as they best suit the needs of our community. I look forward to our future development and revitalization for our downtown historic core facilitated by the efforts and cooperation for the Siler City/ Downtown Advisory Committee

Adams read the following:

Why I am here: I am asking that the topic of itinerant vendors, be fairly addressed and resolved by requiring them to sell only in appropriately zoned areas where there is appropriate infrastructure and regulation, such as consignment stores, open air markets, or the Ramseur flea market. (Yard sales, already regulated by the town would continue as they do at present.) We are evaluation whether to expand the Oasis by adding additional retail space and need to be assured that our investment be protected?

What is the issue: We have the opportunity and ability to increase our investment in downtown Siler City by expanding the Oasis. The decisions this board makes will determine if our investments are protected and allow us to continue to move forward for a March opening. This decision will also affect, positively or negatively, multiple small business and niche retailers.

Many of us, Wren Farrar, Denis de St Aubin, Rich and Sue Szary, Donna Johnson, Zoann Adams, and others, have been attending Planning Board meetings dedicated to helping voice options and urgency to this and a few other subjects related to downtown improvement. This has been actively discussed with town officials, and over 17 business and property owners have provided input and we are asking to resolve this issue in a positive fashion. We have even supplied suggestions, written and in person.

However, this topic continues on as a discussion item and has not been resolved. When we think a solution has been found, the direction is changed and remains open for further discussion. Many of us initially invested in downtown, open-air market, retail storefronts, consignment shops, when this board approved the December 2016 MVU UDO which addressed all itinerant vendors. Now our investments are at risk.

Allowing itinerant vendors where it has not been zoned allows unsafe situations, sale of stolen property and illegal materials, and unsafe food stuffs, and brings ill perceptions and exposes the town to liability, as well as taking away from town tax prayers revenue.

Having itinerant vendors move to zoned locations protects the town's citizens and visitors and puts the liability on the property owner. Clean zoned location with proper traffic patterns establishes a welcoming retail environment hence increasing the tax base and showing Siler City in a positive light. I ask the board to not try and re-establish what open-air or specialty market or nor itinerant vendor. These definitions exist already under NC Statues. Simply have them sell on their own residential property as yard sales or in zoned locations unless they are churches, agriculture, or on school property. Reference the NC State Statute Chapter 66 Article 32 Section(s) 250-259.

PRESENTATIONS

Parks & Recreation Fund Raising Update

Lee Mikell with Convergent shared the following with the Board of Commissioners:

New Aquatic Center Resource Report

A. Target – Solicit Top 5 Potential Investors in January and February

- (1) Holiday Season prevented schedule coordination between potential investor and invitation team
- (2) Customized proposals under development for each
- (3) Invitation team in place for some and still being assembled for others
- (4) Anticipate time for proposal consideration by each prospect before investment decision

B. Target – Preparation and Distribution of Campaign Newsletter

- (1) A one page 8.5" X 11" document, it is distributed to potential major investors with campaign update information
- (2) Publication Occurs Monthly
- (3) Highlights campaign news and events
- (4) Enhances communication and momentum
- (5) Provides top investors with an "insider perspective" of the campaign and builds ownership

C. Target – Plan, Organize and Begin Invitation Solicitations to Prospects Beyond the Top 5

- (1) Includes all potential prospects evaluated by the Investor Evaluation Committee beyond the Top 5
- (2) Incorporates all other potential prospects identified in the course of solicitations and community communications

D. Target – Plan and Organize Church Awareness Program

- (1) Initiative to expand campaign to include awareness of Aquatic Center plans – present and future – throughout the community
- (2) Churches – individually and collectively – will determine preferred format

E. Target – To insure continuity and maximum coverage of campaign activity, re-position counsel engagement

- (1) Shift two weeks for the months of January and February to one week a month for January, February, March and April 2018.
- (2) No extra costs or fees for the Town of Siler City

The Board of Commissioners discussed the project and the addendum to the contract.

A motion to approve the addendum to the contract was made by Commissioner Haiges, seconded by Commissioner Constantino and unanimously approved.

Audit Report – Dixon, Hughes, Goodman

John Frank with Dixon, Hughes, Goodman presented the 2016/2017 Audit Report to the Board of Commissioners.

PUBLIC HEARING

Town of Siler City proposes text amendments to §147 Table of Permissible Uses (emergency services), §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, §185 Homeowners Associations, §284 Vehicle Accommodation Area Surfaces (paved driveway turnout).

Mayor Pro Tem Cheek opened the public hearing for the proposed text amendments to §147 Table of Permissible Uses (emergency services) and §284 Vehicle Accommodation Area Surfaces (paved driveway turnout) at 7:38pm. (Incorporation by reference as if fully set forth herein Schedule F)

Thompson stated that the following have been removed from the public hearing:

§180 Miniparks Required (payment in lieu)

§181 Miniparks: Purpose and Standards

§182 Usable Open Space (payment in lieu)
§184 Dedication of Open Space
§185 Homeowners Associations

Meadows stated that local organizations recently shared concerns with Staff about the table of uses and paved driveway turnouts. The Planning Board initiated the proposed amendments to Article 10 & 18.

Meadows stated that the proposed amendments related to miniparks (Article 13) were tabled at the January 8, 2018 planning board meeting.

Meadows shared the following documents:

1. draft ordinance amending Article 10 & 18
2. NCDOT Policy on Street Driveway Access to NC Highways "Paved Turnouts"
3. Ordinance amending Article 10 & 18
4. Worksheet.

Meadows shared the compatibility with existing Comprehensive Land Development Plan:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Preserve the general character and intensity of the central business district.
6. Encourage the continued commercial, retail, service, and office development of the central business district, as well as encouraging compatible residential uses.
7. Support development of public and private improvements in Central Business District in accordance with the Town's Downtown Master Plan.
8. Preserve the sites best suited for office and industrial development by identifying such areas and excluding non-supportive uses from those sites.
9. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.

Meadows shared the Planning Board recommendations from the January 8, 2018 meeting:

The amendments to §147 & §284 are approved and consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.

Mayor Pro Tem Cheek closed the public hearing at 7:44pm

A motion that the text amendments to §147 Table of Permissible Uses (emergency services) and §284 Vehicle Accommodation Area Surfaces (paved driveway turnout) is approved and consistent with the adopted land development plan and any other officially adopted plan because the it is more permissible and the action taken is reasonable in the public interest because its simpler to understand was made by Commissioner Haiges, seconded by Commissioner Constantino and unanimously approved.

OLD BUSINESS

Bray Park Aquatic Facility Project Ordinance

Keel stated in July of 2017, Parks and Recreation applied for Chatham County Recreation Grant Funding. I am pleased to announce that the Town of Siler City has been awarded \$42,760 through Chatham County Recreation Grant Funding. These funds must be applied directly towards the Bray Park Aquatic Facility project. Staff would like to utilize the latest Chatham County Recreation funds to enhance the splash pad features and expand the pool deck. Now is the time to make these enhancements while construction is going on. If these enhancements are done down the road it will ultimately cost more and become more complicated to install with the newly built structures.

Keel stated that currently our project ordinance for the Bray Park Aquatic Facility is \$960,070. Using the grant funds of \$42,760 to enhance the splash pad features and expand the pool deck will require amending the project ordinance. Staff will have the amended version for you to review the night of BOC meeting. In the base bid for the pool, there is \$30,000 allotted for splash pad features. This will give us the basics needed for our new attraction of the splash pad area. However, staff recommends more than just the basics for this new attraction. With an additional \$15,000 to go towards splash pad features, the project would get more bang for the buck and be more appealing.

Keel also stated that our pool deck is currently very limited in surface area. Staff recommends to use the remaining \$27,760 to expand the pool deck. This would allow for more utilized space for our citizens to enjoy the pool while lounging and not impend on our walking space. I have been told by many citizens that they would like to have lounge chairs at the new pool, as this was a feature they haven't had in the past. Without the addition of more surface area to the poll deck, there will be no room for lounge chairs.

A motion to approve the Ordinance Amending Capital Project Siler City Aquatic Facility 2018.6 was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

NEW BUSINESS

Water Level of Reservoir

Thompson stated that the reservoir is currently at 42% which is 2 % away from mandatory restrictions. Thompson shared the mandatory restriction proclamation with the Board of Commissioners.

MANAGERS REPORT

Net Zero is installing LED lights in all town buildings, Legislative Breakfast is January 23, 2018, EDC Joint meeting is February 8, 2018, TJCOG Joint meeting is February 27, 2018, and Budget Retreat will be at the community center on January 27, 2018.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

none

CLOSED SESSION

A motion to go into Closed Session 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, general personnel policy issues may not be considered in a closed session, a public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting, final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting was made by Commissioner Haiges, seconded Commissioner Siler and unanimously approved at 8:00pm.

A motion to come out of closed session was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved at 8:46pm.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:47pm.



Larry Cheek, Mayor Pro Tem

ATTEST:



Jenifer K Johnson, Town Clerk