

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on Tuesday, January 22, 2019 at 7:00pm in City Hall Courtroom with Mayor Grimes presiding. Commissioner Siler gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Town of Siler City Mission Statement and Mayor Pro Tem Cheek recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Cindy Bray, Larry Cheek, Mike Constantino, Lewis Fadely, John Grimes, Bill Haiges, Thomas "Chip" Price, and Tony Siler

TOWN STAFF PRESENT: Town Manager Bryan Thompson, Attorney William Morgan, Planning Director Jack Meadows, and Town Clerk Jenifer Johnson.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Thompson requested the addition of Local Public Facilities Assessment Policy under Consent, Downtown Map recommendation under Old Business, and Trade Zone under New Business.

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

CONSENT

A motion to approve the consent agenda which includes the January 7, 2019 Minutes November 19, 2018 Minutes (Incorporation by reference as if fully set forth herein Schedule A) Water Treatment Plant Phase 1 Bid Award (Incorporation by reference as if fully set forth herein Schedule B), Local Public Facilities Assessment (Incorporation by reference as if fully set forth herein Schedule I) was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

PUBLIC COMMENT

Ronnie White, 914 West 6th Street, Siler City, NC

I'm here to speak out about the conditions of the streets, gutters, and roads. North and South Chatham Avenue sidewalks need to be repair. South 2nd Avenue there is a manhole that is overflowing sewer, this is being caused by overloaded by storm water. The intersection of W 6th and Fir needs to be cut back. Pot holes are not repaired correctly. Recreation flags need to be moved from Veterans Memorial. Illegal yard signs need to be removed. Seven people on leaf truck is too many. Speed limits in town need to be lowered and more police patrolling needs to happen especially on Highway 64. Graveyard needs attention, cornerstone being knocked out of ground by mowers. Natural areas around town are breeding mosquitos. Cotton Mill hill has no parking on east side of road and people park there. Need stop line at most intersections and need to replace stop signs. N Cottage Grove has buckets of something setting on the road for several years and needs to be picked up. I would like each Commissioner to ride your district and note what needs to have attention. And get a street sweeper, instead of getting all these new vehicles you're riding around in.

Timothy Brown, 907 N Dogwood Avenue, Siler City, NC

My main concern tonight is I want to let the Commissioners know that we are 22 days past the turn over day for Third Street. And I want to know if yall are in contact with DOT, if not I have the DOT representative that's in charge of the request.

John Dykers, 1783 Alston Bridge Road, Siler City, NC

Statement shared via email:

While you are bravely addressing the water/wastewater needs responding to Mountaire and the CAM site, just a reminder of the option to pump water discharged from the treatment plant back up to the reservoir/treatment intake. That's mighty clean water coming out of the treatment plant and should require little additional chemical use to become part of the intake. It has been well over a decade since I did a detailed analysis, so check my memory and update as needed. Most, if not all the right of way for the pipeline at that time was owned by a governmental body, town, county or state. The "lift" of the water, including siphon effect, was only a few feet, seems less than 30??? Seems that 2 MGD needed two pumping stations and I have forgotten the diameter of the pipe; guess a foot? BUT the total cost then was less than \$1million. I do not recall the electrical cost of running the pumps and expected maintenance cost, but judging from the pumping costs here on the farm, cost would likely be less than \$10,000 a month and that only when in full operation, the beauty being able to turn it off when not needed. Appropriate concern relates to the reduction of the stream flow in Love's Creek and the Rocky River. This was minimal and only persisted while the system was primed, and then flows return to normal. I thought you would digest this in writing much easier than my appearing in person, and I know most of you to be smart and knowledgeable enough to process this concept as appropriate as, far greater than my poor power to add or detract.

PRESENTATION

NC Association of Soil & Water Urban Conservation Award

Meadows presented the NC Association of Soil and Water Urban Conservation Award plaque to the Board of Commissioners.

PUBLIC HEARINGS CONTINUATION

Town of Siler City proposes text amendments to §156 Gaming Establishment, Adult (separation requirement from residential uses) of the UDO.

Mayor Grimes opened the public hearing for the proposed text amendments to §156 Gaming Establishment, Adult (separation requirement from residential uses) of the UDO at 7:29pm. (Incorporation by reference as if fully set forth herein Schedule C)

Meadows stated that the proposed amendments were first discussed by a potential business owner. The business owner shared the concerns with the Town Board during a public comment period on October 15, 2018. Town staff prepared the proposed amendments. The Planning Board reviewed the proposed amendment at a regular meeting and initiated the amendment process. The December 10, 2018 regularly scheduled planning board meeting was cancelled due to inclement weather. Public hearing was opened and recessed on December 17.

Meadows shared the following documents:

1. draft ordinance amending Article 11
2. ordinance amending Article 11
3. aerial photos of 1334 E. 11th St. area
4. news article dated Oct 18, 2018
5. worksheet

Meadows shared the compatibility with existing Comprehensive Land Development Plan (items below that are *bold and italicized* may be selected as reasons why the proposed amendment is consistent with the 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.*

Meadows shared the Planning Board Recommendations from the January 14, 2019 meeting, which was voted to leave the ordinance as written with no amendments.

Nick Vo, 3738G Farmington Drive, Greensboro, NC

Vo stated he would like to open an adult gaming business but can't find a location in Siler City that meets these requirements.

Mayor Grimes closed the public hearing at 7:38pm.
The Board took no action on the text amendment.

Town of Siler City proposes text amendments to §194 Access to Lots (points of access for residential developments) of the UDO.

Mayor Grimes opened the public hearing for the proposed text amendments to §194 Access to Lots (points of access for residential developments) of the UDO at 7:40pm. (Incorporation by reference as if fully set forth herein Schedule D)

Meadows stated that the proposed amendments were first discussed during Town Board meetings (June & July 2018). Town staff prepared the amendments. The Town Board reviewed draft language on Nov. 5, 2018 and initiated the proposed amendment. The December 10, 2018 regularly scheduled planning board meeting was cancelled due to inclement weather. Public hearing was opened and recessed on December 17.

Meadows shared the following documents:

1. draft ordinance amending Article 14
2. ordinance amending Article 14
3. a portion of Appendix D of the NC Fire Code
4. worksheet

Meadows shared the compatibility with existing Comprehensive Land Development Plan (items below that are ***bold and italicized*** may be selected as reasons why the proposed amendment is consistent with the land development plan)

The Land Development Plan recommends:

4. ***Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.***
5. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
6. ***Modify the development ordinances to be more user-friendly where possible.***
7. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.

8. Develop specific standards for those properties abutting major highway corridors, to place more stringent controls on building setbacks and height, vehicular access, sign size and location, and buffering of parking and service areas.

Meadows shared the Planning Board recommendations:

The amendments 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. Modify the development ordinances to be more user-friendly where possible.

Mayor Grimes closed the public hearing at 7:42pm.

A motion that the text amendments to §194 Access to Lots (points of access for residential developments) of the UDO are approved and consistent with the adopted land development plan and any other officially adopted plan because amending ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances and the action taken is reasonable in the public interest because it modifying the development ordinances to be more user-friendly where possible was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

PUBLIC HEARINGS

Town of Siler City proposes text amendments to §136 Definitions (temporary emergency, construction, or repair residence), §139 Permissible Uses and Specific Exclusions (travel trailer), §147 Table of Permissible Uses (temporary emergency, construction, or repair residence), & §150 Temporary Emergency, Construction, or Repair Residence (density, design, dimensional, location, and minimum housing standards) of the UDO.

Mayor Grimes opened the public hearing for the proposed text amendments to §136 Definitions (temporary emergency, construction, or repair residence), §139 Permissible Uses and Specific Exclusions (travel trailer), §147 Table of Permissible Uses (temporary emergency, construction, or repair residence), & §150 Temporary Emergency, Construction, or Repair Residence (density, design, dimensional, location, and minimum housing standards) of the UDO a 7:43pm. (Incorporation by reference as if fully set forth herein Schedule E)

Meadows stated that the proposed amendments were discussed and initiated by the Mayor. Town staff submitted an email to the NC Planning listserv but only received one response (Coates Cannons entry). Town staff prepared the proposed amendments.

Meadows shared the following documents:

1. draft ordinance amending Article 10 & 11
2. ordinance amending Article 10 & 11
3. 2018 NC Residential Code definition of habitable space
4. Town Code of Ordinances Article IV - Minimum Housing Standards
5. NCGS §160A-441 – Minimum Housing Standards
6. Coates' Cannons - Temporary Housing and Zoning Amendments – Adam Lovelady – October 5, 2018
7. worksheet

Meadows shared the compatibility with the existing Comprehensive Land Development Plan (items below that are bold and italicized may be selected as reasons why the proposed amendment is consistent with the 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.***

Meadows shared the Planning Board recommendations:

The amendments 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.

A motion to recess the public hearing until 7pm on Monday, February 4, 2019 was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

The Town of Siler City intends to submit an application for a grant of up to \$3,000,000 in CDBG Economic Development funds to upgrade the Wastewater Treatment Plant. The total project will be approximately \$21,000,000.

Mayor Grimes opened the public hearing for the Town of Siler City to submit an application for a grant of up to \$3,000,000 in CDBG Economic Development funds to upgrade the Wastewater Treatment Plant. The total project will be approximately \$21,000,000 at 7:58 pm. (Incorporation by reference as if fully set forth herein Schedule F)

Thompson shared the following with the Board of Commissioners: Founded in 1914, Mountaire Farms, Inc. is the seventh largest chicken producer in the world, serving markets internationally. With operations in North Carolina, Maryland, Delaware and Arkansas, Mountaire Farms currently employs 7,000 people in the United States to meet the demands of their international market.

In May 2016, Mountaire Farms selected the Town of Siler City, North Carolina as its next location for a processing facility. With two hatcheries located in southwest Chatham County and the Town of Siler City's history of poultry processing, the location was ideal to invest \$70 million and create 700 jobs with a proposed start date of January 2019.

In spring 2017, Mountaire Farms, Inc. contacted the Chatham Economic Development Corporation and the Town of Siler City to discuss the potential for an additional processing line for the facility under construction. The project is currently being proposed at another Mountaire Farms, Inc plant outside of North Carolina. This project will also impact the number of poultry farms in the region. Currently, 30 poultry farms will be needed to support the operation. This would be achieved through expansion of operating farms, the creation of new farms and/or both.

Jobs: Mountaire Farms has estimated the potential addition of 1,300 total jobs, 600 more than initially announced. This number will approach the number of jobs lost in the Town of Siler City during the economic recession of 2008-2011.

Tax Base: Chatham County's industrial and commercial tax base sits at 9%. This is considerably lower than neighboring counties – Lee at 24.8%, Moore at 14%, Durham at 37.9%, and Orange at 14.1%. Diversifying the tax base reduces the burden on residential property tax payers. Both Siler City, which has suffered major job losses following the closure of two poultry processors, and Chatham County would benefit from this new income source. Once operational, Mountaire Farms will be the largest private employer in the Town of Siler City and Chatham County.

Infrastructure Expansion: The Town of Siler City currently owns and operates a wastewater treatment plant (WWTP) that is permitted to discharge up to 4 MGD of treated effluent into Loves Creek. Current flows treated at the WWTP average approximately 2 MGD, or 50% of the plant's permitted capacity. While the plant has the hydraulic capacity to service both the CAM site and the Mountaire Farms facility, the WWTP is not currently designed or required to meet an effluent limit for total nitrogen. Loves Creek and the Rocky River are on the 303 d list due to not meeting stream standards and NCDEQ is in the process of developing Total Maximum Daily Load (TMDL) limits in the basin.

The Town's NPDES permit has been reopened due to acceptance of the Mountaire Farms wastewater and a new draft permit has been issued with a compliance schedule to implement nutrient removal at the current flow of 4.0 MGD. The existing flows and flow allocated to the Mountaire Facility and CAM site utilize all of the available capacity of the 4.0 MGD facility and an expansion to increase capacity for future development is needed.

The proposed project will be completed in two parts to meet compliance with the schedule. The first phase will implement nutrient removal at the current capacity and the second phase will expand the plant to approximately 6.0 MGD while further reducing nutrient concentrations to maintain stream quality. The upgraded facility will not only serve immediate needs by allowing the Town to accept wastewater from Mountaire Farms and comply with anticipated discharge limits, but will provide enhanced treatment for all Siler City's wastewater and benefit the community through improved water quality.

Mayor Grimes closed the public hearing at 8:01pm.

OLD BUSINESS

Conditional Use District Rezoning – Cambridge Southeast Estates – Manufactured Home Park – R-MH-C
Meadows stated that the subject property is located off of Hamp Stone Rd, Hyatt Ct, Santa Fe. Cir. and is identified as parcel # 13625 & 13637. On February 19, 2018, the Siler City Board of Commissioners approved a conditional use district rezoning with conditions for Development Engineering, Inc. to rezone 25.71 acres from A-R to R-MH-C and develop 31 new manufactured homes sites within an existing 32 unit manufactured home park. (Incorporation by reference as if fully set forth herein Schedule G)

The conditions were as follows:

- a. All sites, facilities, parking area, street, etc. are connected by a minimum 5' wide sidewalk.
- b. 60' minimum lot width; and
- c. 20'x20' concrete pad at each site for parking; and

- d. Minimum 40' access easement for new and existing streets; and
- e. Pave cul-de-sac at the end of Hyatt Ct; and
- f. Dedicate 20' wide multi-use path easement for future greenway trail (0.705 acre); and
- g. Reserve 7.299 acres of usable open space; and
- h. Reserve 22,093 square feet of minipark area; and
- i. 5 miniparks (3 regular & 2 tot lots); and
- j. 7,404 square feet of area for tot lots; and
- k. 4 play equipment structures (to be installed by equipment supplier or approved contractor) in which 2 are for ages 2-5 (56 kid capacity) and 2 are for ages 5-12 (92 kid capacity); and
- l. 13 picnic tables & 18 benches (made of metal and composite or engineered wood); and
- m. Playground equipment surface: engineered wood fibers bordered by rounded pressure treated wood landscape timbers; and
- n. Provide 1 parking space at new mail box; and
- o. Install new 15'x10' school bus shelter.

Meadows stated on August 20, 2018, the Siler City Board of Commissioners approved minor design modification #1 and designated the fee in lieu be held in a special fund by the Town and be appropriated at Bray Park (see below).

Original Approval	Existing Approval (minor design modification #1)
22,093 square feet of minipark area (only 21,954 was required)	20,766 square feet of minipark area (required minimum) <i>Note: 1,327 square feet less than existing approval</i>
5 miniparks (3 regular & 2 tot lots)	4 miniparks (2 regular & 2 tot lots)
7,404 square feet of area for tot lots	4,649 square feet of area for tot lots
4 play equipment structures (to be installed by equipment supplier or approved contractor) in which 2 are for ages 2-5 (56 kid capacity) and 2 are for ages 5-12 (92 kid capacity)	5 play equipment structures (to be installed by equipment supplier or approved contractor) in which 3 are for ages 2-5 (2 tot play equipment structures and swing set with 4 swings) and 2 for ages 5-12 (swing set structure with 2 swings and basketball court with 2 goals (asphalt or concrete surface))
13 picnic tables & 18 benches (made of metal and composite or engineered wood)	7 picnic tables & 12 benches (made of metal and composite or engineered wood)
NA	\$10,506 fee in lieu

Meadows shared the proposed minor design modification #2:

During the site plan review process the developer decided not to pursue additional units on Hyatt Court. The developer requests the following minor design modification to their conditional use rezoning approval.

Existing Approval (minor design modification #1)	Proposed minor design modification #2
20,766 square feet of minipark area (required minimum) (1,327 square feet less than existing approval)	<u>19,021</u> square feet of minipark area (required <u>minimum</u>) <i>Note: 1,725 square feet less than existing approval and 3,072 square feet less than the original approval</i>
4 miniparks (2 regular & 2 tot lots)	
4,649 square feet of area for tot lots	
5 play equipment structures (to be installed by equipment supplier or approved contractor) in which 3 are for ages 2-5 (2 tot play equipment	

structures and swing set with 4 swings) and 2 for ages 5-12 (swing set structure with 2 swings and basketball court with 2 goals (asphalt or concrete surface)	
7 picnic tables & 12 benches (made of metal and composite or engineered wood)	
\$10,506.00 fee in lieu	\$57,063.00 fee in lieu <i>Note: \$46,557.00 more than the existing approval</i>

Meadows shared Parks Eligible for the Fee in Lieu:

1. District Park (serves all of the residents in the community) - Bray Park Sports Complex
2. Nearest Community/Neighborhood/Mini Park - Landrus Siler Park (7,175 feet)
 - a. Not eligible
 - i. W.F. Collins Park (7,549 feet)
 - ii. Ernest Ramsey Gym (7,870 feet)
 - iii. Boling Lane Park (7,971 feet)
 - iv. Washington Avenue Park (8,654 feet)
 - v. Paul Braxton Park/Gym & Earl B. Fitts Community Center (8,864 feet)
 - vi. Loves Creek Greenway (11,062 feet)

Meadows shared Parks and Recreation Department Recommendations:

All payment in lieu funds from mini park developments correlate with the needs of the Parks and Recreation Department. To directly reflect with needs of the department that was presented at the Board of Commissioners meeting, the department recommends that these funds go towards the ball field lighting project of field 2 at Bray Park Sports Complex. This project will cost \$150,000, so all future payment in lieu funds will be recommended to go towards this project until sufficient funds are there to complete this project. The ball field lights on field 2 keep us from playing games at night time on field 2. Field 2 is our nicest field but we are handicapped by the outdated light system that is on it. Field 1, Field 3 and Field 4 all have adequate Musco Lighting.

A motion to approve the approve the request for minor design modification #2 and table the designation of the fee in lieu funds until the February 4, 2019 meeting was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

Downtown Map

Thompson shared a recommendation from the Downtown Advisory Committee of a downtown overlay map. (Incorporation by reference as if fully set forth herein Schedule G)

A motion to approve the downtown map as presented was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

NEW BUSINESS

Trade Zone

Commissioner Haiges shared a Foreign Trade Zone Essentials Workshop from Triangle J Council of Governments for February 20, 2019. Thompson stated that the Town has agreed to be a sponsor of the event.

MANAGER'S REPORT

Thompson reminded the Board of Commissioners of the Budget Retreat taking place on Saturday, January 26, 2019 and shared the agenda packets for the meeting with them.

TOWN ATTORNEY INFORMATION

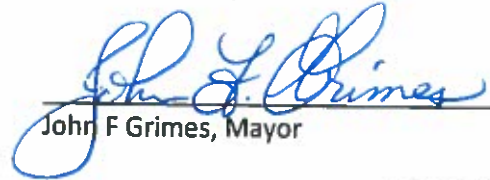
none

GOVERNING BODY COMMENTS

none

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:40pm.


John F Grimes, Mayor

ATTEST:


Jenifer K Johnson, Town Clerk

