

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, October 5, 2015** at 7:00pm in City Hall Courtroom with Mayor John Grimes presiding. Mayor Pro Tem Cheek gave the invocation with the recitation of the Pledge of Allegiance following.

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, Town Attorney William Morgan, Planning Director Jack Meadows, Finance Director Tammy Speicher, Police Chief Gary Tyson, Parks and Recreation Director Jessica Puckett, Parks and Recreation Park Maintenance Supervisor Gregg Blevins, Fire Chief Scott Murphy, and Town Clerk Jenifer Everage.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

A motion to approve the agenda as presented was made by Mayor Pro Tem Cheek, seconded by Commissioner Price and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes Road Closure for October 25, 2015 Paint the Town Pink Festival (Incorporation by reference as if fully set forth herein Schedule A), was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

Mayor Grimes shared the Small Town of the Year Award with the Board of Commissioners.

PUBLIC HEARING**Proposed Installment Contract Financing(s) Pursuant to NCGS 160A-20**

Mayor Grimes opened the public hearing for a proposed refinancing of a portion of the Town's outstanding debt pursuant to one or more installment contract(s), as permitted under N.C.G.S. § 160A-20, in an amount not to exceed \$12,500,000. The Town proposes entering into the installment contract(s) to refund one or more of the following outstanding installment contracts: (a) a 2007 installment contract issued to partially finance the enlargement of the Lower Rocky River Reservoir and related projects, (b) a 2008 installment contract used to partially finance the enlargement of the Lower Rocky River Reservoir and related projects, (c) a 2001 installment contract used to finance a police station, (d) a 2007 installment contract used to purchase a fire tanker truck and (d) a 2011 installment contract used to purchase a fire tanker truck. Pursuant to Section 160A-20, the Town is authorized to refinance the debt by entering into an installment contract and a deed of trust or other security instrument that creates a security interest in some or all of the property financed to secure repayment of the financing (Incorporation by reference as if fully set forth herein Schedule B) at 7:17PM.

No one signed up to speak.

Mayor Grimes closed the public hearing at 7:19PM.

Thompson stated during the regular meeting in September, the Siler City Board of Commissioners approved an agreement for Staff to work with Davenport & Company LLC in an effort to explore refinancing options available for the debt service associated with the Charles Turner Reservoir. Thompson shared a resolution, which authorizes pursuing an installment refinance as well as making certain findings and appointments and requesting approval of the Local Government Commission (LGC).

Prepared By: Jenifer J Everage, Town Clerk

Ty Wellford, with Davenport, offered an overview of the fiscal implications of the proposal under consideration from Carolina Bank as well as additional supporting documents/information. Wellford shared a summary of the estimated debt service savings based on the Carolina Bank proposal. The Local Government Committee has expressed that option 2 (extending the term to 15 years) is not viable. Option 1 results in higher debt service (losses) given that the proposed rate of 4.02% is higher than the current rates on the existing loans. Option 3 produces total estimated savings of \$767,372, which translates into approximately \$60,000 per year after FY 2016. Wellford stated that these results are by no means final, as the structure may change after discussions with the LGC. Wellford shared detailed numbers for this scenario.

Wellford stated after approval by the Town Board, the Town will work with and through the direction of LGC, Carolina Bank, and Davenport to finalize the proposal, its terms and conditions, and have such information and necessary documents available to the Board for its review and consideration at its regular meeting on October 19, 2015. Wellford stated that William Morgan, Town Attorney, has reviewed the resolution.

A motion to approve of the resolution entitled Resolution (1) Authorizing Pursuing an Installment Refinancing, and (2) Making Certain Findings and Appointments and Requesting Approval of the Local Government Commission was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

PRESENTATIONS

Siler City Development Organization (SCDO) Strategic Plan

(Incorporation by reference as if fully set forth herein Schedule C)

Meadows gave an overview of the Siler City Development Organization and shared the Strategic Plan with the Board of Commissioners.

NEW BUSINESS

Boling Lane Tennis Court and Playground Safety

(Incorporation by reference as if fully set forth herein Schedule E)

Puckett shared the following: The tennis court at Boling Lane Park is currently located in the southeast section of the park, adjacent to the flag pole and Helen Buckner Memorial marker. The single court is 51' x 129' with a surrounding twelve foot fence. I have been unable to locate any documents stating the last date of resurfacing or repairs to the court. It is fair to say, based on comments from other town staff and current conditions, it has been a minimum of five years since a full renovation of the court was completed. Current notable conditions:

- Three areas on the court where repair work was performed at an unspecified time, leaving large patches of uneven playing surface. The total surface area of the patches is 225 feet. These patches are obvious as subbase repairs.
- Cracks throughout the entire surface area ranging from ¼- ¾ inch wide by 2"-10' long.
- Multiple tears in the fencing due to intentional cutting of the fencing, and pushing against the fencing over time thereby pulling it away from the posts.
- Rusting of the post and majority area of the fencing.
- Four light poles, two on each side, are utilized. In FY 2015, \$2,007.57 was spent on lighting of the court and around the Buckner Track.
- The court is on a 1-2% slope.

The court faces constant wear and tear from both use as a tennis court and an impromptu futsal/soccer court. Signs have been placed on the court stating the sole purpose of play for tennis, however, there continues to be misuse despite the posted signage.

Challenges the court faces in the current location:

- **Storm water control and damage:** the court which is an impervious surface, sits in the middle of a park that essentially in the shape of a bowl. Over eight storm water pipes are laid throughout the park. The pipes lead to the creek running through the middle of the entire park which eventually dumps into Loves Creek. While we are taking steps to address storm water control as best as possible with the resources we have, it is inevitable there will always be a high volume of water intentionally directed to and through the park. This creates a less than ideal environment for an impervious surface such as concrete and asphalt. The lifespan of the surface is decreased by a minimum of 50%.
- **Fencing:** not aesthetically pleasing and does not allow the court to be secured.
- **Purpose of Use Conflict:** there is daily conflict and required enforcement of the court to maintain the intended creation and use of the court. Town resources are continually required to enforce and educate the intended purpose of tennis, or racquet sports on the court.
- **Slope:** the court is not level.
- **Proximity to the Creek:** the northwest corner of the court lies just over five feet from the edge of the creek. Loves Creek and its associated tributary is considered an impaired water source by the Environmental Protection Agency. A minimum buffer of 10 feet on each side of the creek is preferred. The corner of the court lies within the space of any reasonable buffer for the creek. It is noticeable the slope and cracking of the corner of the surface leaning towards the creek where water flows off of the court and into the creek.

Additional Factors to Consider:

- **Current Playground Conditions:** attached is a Playground Safety Audit prepared by Park Maintenance Supervisor Gregg Blevins who is a Certified Playground Safety Inspector.
- ADA Accessibility
- Track
- Parking capacity
- **Proposed Parks and Recreation Master Plan Recommendations:**

This facility is used by many residents of Town and is an important feature of the southwest side of Town. Pending the construction of a proposed connector trail, the park will soon become a node along the Loves Creek Greenway. However, renovations to all the park amenities are needed. It is recommended to undergo a study and collect public input as part of a master plan aimed at enhancing this recreation resource.

 1. The Helen M. Buckner Walking Path, Tennis court, playground, and picnic area should be assessed for A.D.A. compliance and upgraded as needed.
 2. The existing parking opportunities should be expanded from 23 to 40 spaces.
 3. Way-finding signage leading to the park is needed.
 4. Consider removal of existing Tennis Court.
 5. The existing picnic shelter should be renovated to include a new metal roof.
 6. A restroom building should be constructed.
 7. Storm drainage should be assessed for functionality and upgraded as necessary.
 8. The existing bridge on the walking trail should be assessed for repairs and work completed with the renovation of the storm drainage.

9. Existing metal stream culverts should be assessed for safety issues and repaired/replaced.
10. Maintenance should occur on an ongoing basis.
11. A Park Master Plan should be developed for Boling Lane Park.

Options: (this list is not representative of all options but is simply a list of suggestions that were discussed during the Parks and Recreation Master Plan Process)

1. Renovate/Replace as Tennis Court in current location: the entire surface will need to be replaced as many cracks and patches are down to the sub base of the court. Estimated costs for replacement of the surface, fencing, posts and net is \$25,000-\$40,000, depending on the size of court and target age groups the court is built for.
2. Renovate/Replace as Futsol and/or Basketball Court in current location: similar to Option #1, the entire surface will need to be replaced due to cracks. Estimated costs for replacement of the surface, fencing (if desired), posts and/or nets/goals is \$15,000-\$20,000.
3. Remove entire amenity, leave as open space: Estimated cost for demolition of the court in the proposed Parks and Recreation Master Plan-Capital Improvement Plan is \$6,000. Add in an additional \$1,000 for landscaping of area.
4. Remove entire amenity, replace with another amenity such as a playground, nature education component or restroom
5. Remove entire amenity, leave as open space until further exploration through a structured master plan process as recommended in the proposed Parks and Recreation Master Plan.
6. On the dates of September 10-15, 2015, I inspected the playground at Boling Lane Park. I inspected the playground guided by the standards set forth by the U.S. Consumer Product Safety Commission and the American Society for Testing and Materials. These standards are the required standards all CPSI's are required to follow when performing an official playground inspection and audit.
7. All audits are categorized by a five level safety concern priority rating system where each priority describes what effects the current condition is likely to cause. A Priority 1 Safety Concern is the highest or most severe level concern with Priority 5 being the lowest or least severe concern.
8. The Boling Lane Park playground consists of eight separate pieces of equipment. Of the eight pieces I inspected, one structure or the Composite Play Structure, contained five Priority 1 Safety Concerns. Priority 1 Safety Concerns are labeled as the following: Non-compliant safety concern that may result in permanent disability, loss of life or body part. Condition should be corrected immediately. The majority of the audit on the remaining equipment consists of Priority 4, 3 and 2 Safety concerns with the exception of the balance beam.
9. My main concerns based on the inspection guidelines is the surface material in addition to the Composite Play structure listed above. Currently a base of 0-1 inch of sand is the sole surface material being used. This presents our greatest risk due to the critical fall heights of our current pieces of equipment. The surface material is imperative to protect a child in the event they fall off of the structure. The minimum level of sand required to protect a fall height of four feet is 9 inches. Our average fall height is 10 feet which is supported only by shredded or recycled rubber or wood chips. Based on our current pieces of equipment, the standards require the entire surface material would need to be replaced. The average cost of shredded or recycled rubber is \$8-11.00/sq. ft and \$1.75-2.50/sq. ft for engineered wood fiber chips.
10. Additional challenges the playground faces is due to the location of the current playground. All of the structures are surrounded and covered by large American sweet gum trees and oak trees. Over half of the year the playground is being inundated with gum balls and leaves which

are a nuisance to the users of the playground as well as requiring the use of town resources to constantly remove the natural materials. Also the honey dew secretions from the trees lands on the equipment thus causing mildew to form which increases the need to clean the equipment and degrades the plastic equipment. While the currently location will suffice, it is by no means an ideal site.

11. In summation, the playground is overall in poor condition. My recommendation is to make the necessary repairs for the identified Priority 1 Safety Concerns in the near future.

After discussion by the Board of Commissioners, the consensus was to: consider any impact on safety and repair as part of the 319 Grant, fix safety problems at Boling Lane Park, take down the tennis court net and fence, ask the Master Plan Committee to review plans for the Boling Lane Park, have all parks reviewed for safety issues, and come back to the Board of Commissioners with recommendations for next steps.

Highway 64 NCDOT Project

(Incorporation by reference as if fully set forth herein Schedule F)

Meadows stated that the State of North Carolina recently selected the following project to receive funding from the Statewide Transportation Improvement Program (STIP): Highway Project U-5737 - US 64 (11th St) from Greensboro Ave (bridge over 2nd Ave.) to the eastern Corporate Limit (eastern US 421 ramp) - add median for access control, sidewalks, crosswalks, and bike lanes (2019) - \$10,053,000.

Meadows stated that the project will be managed by NCDOT Division 8 which means all work (preliminary engineering, environmental documents, roadway design and project letting) will be completed in house by Division 8 staff. Division 8 staff wants to make sure they capture all of the recommended improvements for the project including, but not limited to, desired roadway cross section, bike/pedestrian facilities, crosswalks, curb & gutter, etc. As a result, Division 8 staff has asked the Town Board to officially submit detailed recommendations.

Meadows shared the following background on the project:

1. Capacity Deficiency of US 64
2. Draft Comprehensive Transportation Plan US 64 recommendations
3. Adopted Siler City Pedestrian Master Plan US 64 recommendations

Town staff has provided a list of detailed recommendations for the Town Board to consider.

1. Intersection improvements
 - a. Perpendicular ADA compliant curb ramps
 - b. Signalization
 - i. Push button actuation/pedestrian countdown signal/timers
 - ii. Pedestrian Hybrid Beacon
 - c. High visibility thermo plastic crosswalk markings
 - d. Pedestrian crossing signs (wayfinding signs if warranted)
 - e. Median refuge islands
 - f. Minimize curb radii (make sure they can accommodate trucks)
 - g. Stop bars behind crosswalks
 - h. Contiguous sidewalk segments at all intersections to the right-of-way line of US 64
 - i. Intersections:

- i. Greensboro Ave.
 - ii. 3rd Ave.
 - iii. Sears Ave
 - iv. 5th Ave.
 - v. Martin Luther King Jr. Blvd.
 - vi. Pine Glade Ave.
 - vii. North Ave.
 - viii. Johnson Ave.
 - ix. 3rd St.
 - x. Raleigh St.
 - xi. Siler Crossing Shopping Center
 - xii. US 421 Interchange
2. Sidewalk on both sides
 3. On-road bike lanes if feasible within existing facility
 4. Buffer (example grass utility strip) between traffic and sidewalks
 5. Raised median divided boulevard
 - a. Median - grass with small evergreen shrubbery intermittently planted
 - b. U turn provisions that can accommodate trucks
 - c. Emergency access through median (example fire department)
 - d. Median access accommodations for businesses with commercial trucking (example Acme McCrary)
 6. Maintain existing curb and gutter
 7. Deceleration lanes (right and left turn) at warranted intersections
 8. Repair private/commercial driveway aprons (example KFC - cars bottom out, etc.)
 9. Contact Town of Siler City Public Works & Utilities regarding location of water and sewer utilities.

A motion to approve the list of detailed recommendations and submit to the NCDOT Division 8 office was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

OLD BUSINESS

2015/2016 Fee Schedule Amendment – Fire Alarm

(Incorporation by reference as if fully set forth herein Schedule D)

Thompson stated as previously meeting this item of business was tabled owing to the request for further information. Specifically; 1) clarification justifying proposed fee schedule increase, and 2) clarify the working definition of "false fire alarm".

Chief Murphy offered clarification to the proposed fee amending the current fiscal year's schedule of fees accounts for current operational cost for response to such alarms, with an approximate \$50 buffer to maintain the same rate for a longer period of time. Chief Murphy stated Staff has no objection to adjusting the proposal to \$300 if the Board desires to only cover average cost per call.

Chief Murphy stated the current language of the Town Code speaks directly to the two types of false alarms qualifying a violation. These include willfully affecting an alarm to sound while absent cause for the same, and the continued operation of an automatic alarm system that, due to malfunction, sounds

inconsistently with its intended design and purpose. Chief Murphy provided resource references that guide the implementation of the subject Code (i.e. NC Fire Prevention Code).

Chief Murphy asked the Board of Commissioner to consider amending the FY 2015/2016 Fee Schedule to include a fee for False Fire Alarms at \$350 for each instance pursuant to Siler City Code of Ordinances.

A motion to amend the 2015/2016 Fee Schedule to include the Fire Alarm Fine of \$350 was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

DEPARTMENT REPORTS

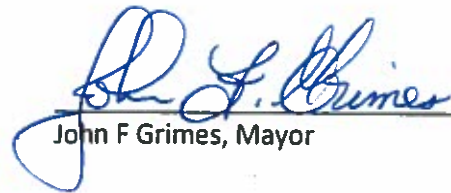
The following Department Reports were presented to the Board of Commissioners: Building Inspection (Incorporated by reference as if fully set forth herein Schedule G), Finance (Incorporated by reference as if fully set forth herein Schedule H), Fire (Incorporated by reference as if fully set forth herein Schedule I), Parks and Recreation (Incorporated by reference as if fully set forth herein Schedule J), Planning and Community Development (Incorporated by reference as if fully set forth herein Schedule K), Police (Incorporated by reference as if fully set forth herein Schedule M), Public Works (Incorporated by reference as if fully set forth herein Schedule N).

BOARD COMMENTS

None

ADJOURNMENT

With no further business the Board of Commissioners adjourned 8:35 pm.



John F Grimes, Mayor

ATTEST:



Jenifer J Everage, Town Clerk

