

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on Monday, October 6, 2014 at 7:00pm in City Hall Courtroom with Mayor John Grimes presiding. Mayor Grimes gave the invocation with the recitation of the Pledge of Allegiance following.

**COMMISSIONERS 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, Public Works Director Terry Green, Police Chief Gary Tyson, Planning Director Jack Meadows, Parks and Recreation Director Jessica Puckett, Finance Director Tammy Speicher, and Town Clerk Jenifer Everage.

Manager Thompson requested the following agenda adjustments: move items f) Airport Work Authorization #1 ALP Update and Obstruction Removal Project Ordinance Budget Amendment and g) Airport Work Authorization #2 ALP Update and Obstruction Removal Project Ordinance Budget removed from Consent Agenda, the addition of New Business item d) 2015.1 Budget Ordinance Amendment for Airport Work Authorization #1, e) 2015.2 Budget Ordinance Amendment for Love's Creek Greenway, f) 2015.3 Budget Ordinance Amendment for NCDOT Safe Routes to School, g) 2015.4 Budget Ordinance for ALP Update and Obstruction Removal Planning, h) 2015.5 Budget Ordinance for Airport Obstruction Removal Runway 22 – Phase 1, and move the Old Business items after the last item on New Business.

*A motion to approve the agenda with the changes was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

*A motion to approve the consent agenda which includes the August 18, 2014 Minutes (incorporated by reference as if fully set forth herein Schedule A), September 2, 2014 Minutes (incorporated by reference as if fully set forth herein Schedule B), September 11, 2014 Minutes (incorporated by reference as if fully set forth herein Schedule C), September 15, 2014 Minutes (incorporated by reference as if fully set forth herein Schedule D), Siler City Police Department Resolution (incorporated by reference as if fully set forth herein Schedule E), was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.*

**NEW BUSINESS**

**North Carolina 25 Year Transportation Plan Presentation**

Meadows shared a video with the Board of Commissioners about North Carolina Department of Transportation 25 Year Plan. The Board of Commissioners thanked Meadows.

**Loves Creek Watershed Presentation by Karen Hall with NC State**

Thompson introduced Karen Hall with NC State. Hall presented a potential program to the Board of Commissioners (Incorporated by reference as if fully set forth herein Schedule J). Hall stated the program is community project and would need community volunteers. The Board of Commissioners discussed the program. The consensus of the Board of Commissioners was to move forward with the next steps of the project.

Discussion of Residential Whole House Water Filter Credit Program

Thompson presented the proposed Residential Whole House Water Filter Credit Program (Incorporated by reference as if fully set forth herein Schedule K) to the Board of Commissioners. Thompson stated the limited-time program would be offered by the Town to residential utility customers to help defray the cost of the purchase and installation of a whole house filtration system. The Board of Commissioners discussed the program. Thompson stated the program is for review and no action would be needed from the Board of Commissioners at this time.

**OLD BUSINESS**

Consideration of Mid-Atlantic Associates Brownfields Contract

Meadows introduced Jeff Tyburski with Mid-Atlantic. Tyburski presented a proposed Brownfields Contract (Incorporated by reference as if fully set forth herein Schedule I) to the Board of Commissioners for their consideration. The Board of Commissioners discussed item 5 of the contract. The Board of Commissioners asked if the contract could be amended to exclude item 5. Tyburski stepped out and made a phone call, then came back to the Board of Commissioners with an amendment the Board of Commissioners agreed too.

***A motion to authorize the Town Manager to execute the Master Services Agreement (Environmental Engineering and Consulting Services) for EPA Brownfields Project with Mid-Atlantic Associates, Inc. as amended and submit an application for EPA Brownfields Assessment Grant (prepared and submitted by Mid-Atlantic) was made by Commissioner Fadely, seconded by Commissioner Constantino and unanimously approved.***

2014-2015 Budget Ordinance and Amendments

Thompson asked Speicher to present five 2014-2015 Budget Items. Speicher stated the amendments were requested by the Auditor. Speicher presented the 2015.1 Budget Ordinance Amendment for Airport Work Authorization #1 (incorporated by reference as if fully set forth herein Schedule F).

***A motion to approve 2015.1 Budget Ordinance Amendment for Airport Work Authorization #1 was made by Commissioner Siler, seconded by Commissioner Price and unanimously approved.***

Speicher presented the 2015.2 Budget Ordinance Amendment for Love's Creek Greenway (incorporated by reference as if fully set forth herein Schedule G).

***A motion to approve 2015.2 Budget Ordinance Amendment for Love's Creek Greenway was made by Commissioner Siler, seconded by Commissioner Haiges and unanimously approved.***

Speicher presented 2015.3 Budget Ordinance Amendment for NCDOT Safe Routes to School Capital Project (incorporated by reference as if fully set forth herein Schedule L)

***A motion to approve 2015.3 Budget Ordinance Amendment for NCDOT Safe Routes to School Capital Project was made by Commissioner Siler, seconded by Commissioner Price and unanimously approved.***

Speicher presented 2015.4 Budget Ordinance Amendment for ALP Update and Obstruction Removal Planning (incorporated by reference as if fully set forth herein Schedule M)

***A motion to approve 2015.4 Budget Ordinance Amendment for ALP Update and Obstruction Removal Planning was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.***

Speicher presented 2015.5 Budget Ordinance for Airport Obstruction Removal Runway 22 – Phase 1 (incorporated by reference as if fully set forth herein Schedule N)

***A motion to adopt and amend the 2015.5 Budget Ordinance for Airport Obstruction Removal Runway 22 – Phase 1 was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.***

#### Paul Braxton Field Discussion

Thompson shared the following memo and minutes from previous Board of Commissioners meetings, which cover the Paul Braxton Field (Incorporated by reference as if fully set forth herein Schedule H).

Nearly three years ago the Siler City Board of Commissioners was presented with an opportunity to overhaul the recreational field at Paul Braxton Park. This opportunity was headed by the Chatham Soccer League and its leadership, who were able to secure grant funding to transform the existing playing surface to accommodate regulation soccer play.

The Board of Commissioners' deliberation of this proposal transpired over the course of one year through multiple Board meetings. The depth of discussion exhibited a varying range including who the responsible parties were for the installation and future maintenance of the new facility, the types and sources of financial and in-kind contributions were available and needed to complete the project, and what the end use of the facility would ultimately be. Many of these items appear to be well vetted and decided by the Board of Commissioners; however, the latter, upon review of the minutes and supporting documents, appear to be less clear.

Since the grand opening of the new recreation field, Staff has received questions on multiple occasions relating to the function the field is intended to serve. As evident in the minutes of the Board of Commissioners meetings, some believe the field should remain open for multiple uses where the facility could be used as an overflow venue for baseball/softball and even host practices for the Town's various Recreation Department's programming. While contrary views have been equally vocal that the field should be utilized exclusively for soccer play.

As previously stated, the minutes were not decisive to this point with respect to the extent the field is to be used for soccer only, or if the field is best utilized for multipurpose recreational activities. At the request of Mayor Grimes, Staff forwarded the relevant minutes and supporting documents (attached) to Town Attorney William Morgan to gain his interpretation on this matter. Morgan's review of the minutes and other support documents resulted in a similar opinion that it is largely unclear what the final determination of the Board was in this regard. The motion approved by the Board was not accompanied by any condition or specificity to

clarify this matter. Though discussions leading up to the motion to approve the project seemed to indicate multipurpose functionality of the facility, the motion itself seems to support the approval of the project as presented. Since the project was presented as a "soccer only" proposal, and since the discussion leading to the motion tends toward multiuse, there is ample room for debate on the matter.

In an effort to more clearly define the future use of the Braxton Field and its functionality within the community and the Town's recreation programming, Staff requests the Board to reconsider this issue to offer Staff direction on how best to proceed with the use of the subject facility.

The Board of Commissioners had the following conversation concerning the Paul Braxton Field:

Mayor Grimes stated what the Board of Commissioners needs to decide is does the Board want to limit the use of the Paul Braxton Field to just soccer or do they want it to be a multi-purpose field.

Commissioner Price asked what are the growing pains that have led to this or what has precipitated. Thompson stated our programming is growing and we have a new playing surface that has presented some challenges with keeping it maintained. Puckett stated she would like clarification for the use of the field.

Commissioner Bray and Commissioner Siler said they remember the field was to be for all sports and not just for soccer.

Commissioner Constantino asked what is the Paul Braxton and Bray Park fields being used for.

Commissioner Constantino stated that the Oak Foundation is committed to growing soccer and if that was going to be a multi-purpose field they would have not commented to it.

Mayor Grimes asked if that was in the contract.

Commissioner Constantino stated that the Town doesn't have a contract with Oak Foundation, that the individuals involved had an agreement with Oak Foundation. Mayor Grimes asked who made the agreements. Commissioner Constantino stated the individuals involved were Donald Dones, Paul Cuadros and Jordan Matthews. Mayor Grimes stated, so there is nothing in writing. Commissioner Constantino stated, no there is nothing in writing.

Commissioner Bray stated it was her understanding that the field would remain a multi-purpose field, if anyone wanted to play baseball, football or other sports, they would have the option of doing so.

Commissioner Constantino stated in one set of the minutes that was sent out to the Board of Commissioners, it stated it would be used for an over flow field, that was the agreement.

Commissioner Constantino stated there was \$65,000, but the amount was closer to \$80,000 and Jordan Matthews paid for the soccer goals and there are people here tonight from Chatham Soccer League. Commissioner Constantino stated by paying for the goals, the agreement was that Jordan Matthews would be able to use the field twice a week for practice. Jordan Matthews plays their games on Monday and Wednesday or Paul Cuadros would be here today. Commissioner Constantino stated if the Board would like to pursue this with Paul Cuadros that could be done at the first meeting in November, because the soccer season would be over then. Commissioner Constantino stated the Oak Foundation supports soccer and communities that are struggling. Commissioner Constantino stated we didn't have a soccer field, but we have one now and it's a fine one because the Hispanic community, the Oak Foundation, Chatham County Parks Foundation, and Jordan Matthews put the money together to make it happen. Commissioner Constantino stated nobody in any of those organizations has a problem with anyone using the field besides Jordan Matthews, he spoke with Cuadros and he said we have no problem with anyone using the field. Mayor Grimes asked if they have a problem with others using the field for anything other than soccer. Commissioner Constantino stated that why would anyone need to use that field when the fields a Bray Park are not used at all, he look at the history with the previous director and there were nine rentals for two years at Paul Braxton for baseball and softball practice and none were between May and September, which is soccer season. Commissioner Constantino stated that one issue right now is that one of the Charter Schools in town is playing their games at Paul Braxton and to fit the charter school schedule, the town bumped the Jordan Matthews team, the team that built that field, and that is absolutely wrong. Mayor Grimes stated right now we are talking about multi-purpose. Commissioner Constantino stated we can't be talking about multi-use when everybody wants to use the field. Mayor Grimes stated we are not talking about multi-use, we are talking about multi-purpose. Commissioner Constantino asked what the difference was. Mayor Grimes stated multi-purpose would be if the field is being used for another sports and multi-use would be who is using the field. Commissioner Constantino stated everyone wants to play on the new field and everyone can't play on the new field, the field has already been shut down because it had too much activity.

Commissioner Fadely asked if the Board of Commissioners can decide 1) do we want it to be multi-purpose or not and 2) leave it up to the discretion of the Parks and Recreation Director for the use of the Town's asset and if it is for an overflow field that's fine or if they miss a game that's fine and leave it to here discretion of how this one piece fits into the towns over all recreation program. Thompson stated that could be done, but clearly there are strong opinions and staff would like direction from the Board, but what staff will do is set priorities, because we understand it is a soccer field. Commissioner Fadely stated after reviewing the minutes he felt the Paul Braxton field was meant to be a multi-purpose, but we have no agreement. Commissioner Fadely stated what is important the him in the Parks and Recreation Department is that we use the department and its assets in totality to teach the values to our children that you can learn though competitive athletics, the positive things like sportsmanship, fair play, working well with others, hard work, determination, modesty and integrity. Commissioner Fadely doesn't think that one sport alone teaches those values, that all sports teach those values. Commissioner Fadely feels that the facility should be multi-use and we get out of the way and let staff plan the overall use of the field and facilities, not just Paul Braxton, but all of the fields.

Mayor Pro Tem Cheek stated he would vote for multi-purpose, that we maintain the field with tax payer's money and all citizens have a right to use the facility.

Commissioner Price stated after reviewing the minutes and thinking back about what the discussion was then, and we did talk about multi-purpose and the conversation was about baseball/softball and in that discussion we talked about the infield would remain the same and the discussion was framed a lot by youth sports and to remain multi-purpose, but in the same hand we accepted the proposal as a private/public partnership for the field. Commissioner Price stated we can keep the field multi-purpose, but we need to have a priority for the field and that should be for what the money was given for which was soccer.

Mayor Pro Tem Cheek stated that he remembers Surveyor Charles Eliason coming to a Board of Commissioners meeting saying he had surveyed the property, and Eliason said the layout of the soccer field would be changed, so the Town could still use the baseball field.

Commissioner Haiges asked if the Board of Commissioners could give the Parks and Recreation Director the discretion to use the field as she needed, but the priority should be for soccer.

Commissioner Fadely stated we look at the Paul Braxton Field as one piece of the overall recreation asset.

Jorge Castro of 1020 Chatham Church Road, Pittsboro, the Former President of Chatham Soccer League came forward and stated he is familiar with the project and they decided to expand west to Siler City, which had teams and players, but no field. Castro stated that is the only regulation sized soccer field in Siler City and we needed that to expand.

Mayor Grimes stated it will be used for soccer field or other sports going to be able to utilize the field at the discretion of the Parks and Recreation Director with the supervision of the Town Manager.

Commissioner Price stated the priority needs to be of soccer.

***"A motion in an effort to resolve the nebulous language of prior motions and in order to resolve, I move that the Paul Braxton Facility included but not limited to the Paul Braxton Field be a multi-use facility for the purpose of achieving the teaching of values that are apparent in competitive athletics, good sportsmanship being one; and furthermore the Parks and Recreation Director, in conjunction with the Town Manager, be allowed to schedule athletic events at the Paul Braxton Facility and Field, in conjunction with a consideration of our other facilities, in a manner that is fiscally responsible to the town, the citizens and assets with an understanding that the field, in its inception and conception, was hoped to be used and hoped to accommodate the needs of the soccer community" was made by Commissioner Fadely, seconded by Mayor Pro Tem Cheek, voting for the motion are Commissioner Bray, Mayor Pro Tem Cheek, Commissioner Fadely and Commissioner Siler, voting against Commissioner Constantino, Commissioner Haiges, and Commissioner Price.***

**MANAGER'S REPORT**

Thompson shared the calendar for October, a report from Friends of the Rocky River, and a letter to Chatham County Schools concerning Landrus Siler Park. Thompson stated that the Airport Open House was this past weekend. Mayor Grimes stated the event had a great turn out with wonderful planes and free rides for the children.

**GOVERNING BODY COMMENTS**

Commissioner Bray asked about the Carolina Pool Management refund. Spechier stated the refund was just over \$13,000 and \$9,000 had not spent been spent.

Commissioner Bray stated she has had citizens asking about the new chicken process plant to open up at the former Townsends facility, Bray asked if there is any update. Thompson stated the company is starting up at the Stockyard road facility first.

Commissioner Price asked for an update on the wireless company that had attended a meeting awhile back. Thompson stated he met with the company and they needed to get with utility provider on the towers to find out what needed to be done next.

Commissioner Haiges thanked the Town house for bring the truck to load items in when they cleaned out their house, he said that is a wonderful service.

Commissioner Bray asked about the third window in the LPA. Thompson stated today was the first day for the window.

**ADJOURNMENT**

With no further business the Board of Commissioner adjourned 9:21.

  
John Grimes, Mayor

**ATTEST:**

  
Jenifer J Everage, Town Clerk

