

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, November 16, 2015** at 7:00pm in City Hall Courtroom with Mayor John Grimes presiding. Commissioner Siler 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, Police Chief Gary Tyson, Parks and Recreation Director Jessica Puckett, Finance Director Tammy Speicher, and Town Clerk Jenifer Everage.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Manager Thompson asked to add Schedule K: Watercraft Registration under New Business.

A motion to approve the agenda with the addition was made by Mayor Pro Tem Cheek, seconded by Commissioner Siler and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes October 23, 2015 Special Meeting Minutes (Incorporation by reference as if fully set forth herein Schedule A), November 2, 2015 Minutes (Incorporation by reference as if fully set forth herein Schedule B), November 2, 2015 Closed Session Minutes (Incorporation by reference as if fully set forth herein Schedule C) was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

PRESENTATIONS

Parks and Recreation Master Plan Committee Resolutions

Mayor Grimes presented resolution to the following Parks and Recreation Master Plan Committee members for their service: Tony Cook, John Eldridge, Marcia Grimes, Monaliza Hanner, Tori Mazur, Jayson Perez De Paz, Jay Siler, Rosa Sutton, and Jana Wiley. (Incorporation by reference as if fully set forth herein Schedule D)

Christmas Parade

Cindy Poindexter with the Chatham Chamber of Commerce shared information with the Board of Commissioners about the upcoming Christmas Parade on Thursday, December 3, 2015 at 7pm. (Incorporation by reference as if fully set forth herein Schedule E)

Indira Everett with Duke Energy

Everett shared information with the Board of Commissioners about tree trimming guidelines. (Incorporation by reference as if fully set forth herein Schedule F)

PUBLIC COMMENT

none

PUBLIC HEARING

Rezoning Request

Mayor Grimes open the public hearing for requests to rezone the following tax parcels along the 300-600 blocks of N. Chatham Ave. from Light-Industrial (L-I) to Central-Business (C-C) 15330, 15331, 15335, 15336, 15339, 15346, 15347, 15348, 15349, 15350, 15353, 15354, 61240, 74937, & 76915; and from Light-Industrial (L-I) to Neighborhood-Business (B-1) 15234, 15317, 15326, 15327, 15355, 15356, 15357, 15358, 15522, & 76049 at 7:25pm. (Incorporation by reference as if fully set forth herein Schedule G).

Meadows shared the following with the Board of Commissioners:

The subject properties:

Owned by:

- Adcock, Michael
- Avila, Rosalinda
- Benitez, Dimas
- Commercial Holdings, LLC
- Detscher, Betty
- Headen, Robert
- Johnson, Henrietta
- Lindley, Mark
- Lopez, Araceli
- Menedez, Norberto
- Perez, Victor
- Retail Propane Co. LLC
- Robinson, Evelyn
- Simpson, Donald
- T&S Investors LLC
- Town of Siler City
- Willett, Jessie

Located inside the Town's Corporate Limits:

Located within the Duke Energy Progress electric service districts; and

Parcel # 15350, 74937, 15356, 15357, 15355, 15358, 76049, 15327 & 15522 are located within a special flood hazard area.

Subject Tract:

1. 4.41 acres to C-C
2. 5.13 acres to B-1
3. 9.54 acres total
4. 17 property owners
5. 25 tax parcels

Size of surrounding tracts = Average of 0.68 acre

Compatibility with Existing Comprehensive Plan

The Land Development Plan recommends:

1. General commercial, central business district, and mixed use development for the subject properties
2. Commercial goals, objectives, and strategies:
 - a. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
 - b. Improve the appearance of commercial properties abutting major thoroughfares by providing

- landscaping to buffer parking lots and service areas and by controlling signs.
- c. Encourage through zoning requirements, planned general commercial development rather than small, individual lot development.
 - d. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.
 - e. These areas are generally located along major thoroughfares that contain a variety of commercial uses. Retail uses include shopping centers, convenience stores, restaurants and services catering to the traveling public. Heavier uses may include automobile dealerships and repair shops, min-warehouses and contractor's yards with appropriate landscaping and buffer requirements.
3. Mixed use development goals, objectives, and strategies:
- a. This designation has been applied to areas potentially suitable for a variety of office, retail, high density residential or light industrial land uses, where no dominant land use type has emerged.
 - b. Redevelopment area adjacent to the west side of the central business district.
 - c. This area is the site of former manufacturing and heavy industrial uses.
 - d. It is appropriate for office and retail uses compatible with the downtown district.
 - e. Reuse of architecturally significant, vacant industrial buildings is encouraged.
 - f. Guide new growth to designated future mixed-use development areas by making public utility extensions into those areas a top priority.
 - g. Encourage planned, mixed-use development instead of incremental, small lot development.
4. Central Business District goals, objectives, and strategies:
- a. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small business and residential.
 - b. Explore the development of a downtown civic center that would strengthen downtown by providing a central location to house meetings and community entertainment events.
 - c. Explore the conversion of vacant industrial property into an active "arts market" to provide marketing space and take advantage of a growing arts community.
 - d. Modify the zoning ordinance to allow for residential uses in the commercial area. Residential zoning should be owner occupied and support commercial retail and art studios.
 - e. Complete the application process to become a North Carolina Mainstreet Community
 - f. Explore allowing mixed uses in the downtown zoning district through the conditional use process.
 - g. Produce a "Downtown Development Design manual" to help local business owners with suggested guidelines for development.
 - h. Modify the development ordinances to be more user friendly where possible.
 - i. Visually define the downtown area through unified signage and landmarks.
 - j. Increase pedestrian safety in the downtown area through improvement of sidewalks and handicapped accessibility.
 - k. Look at planting plan for street trees along public rights-of-way.
 - l. Explore program of repaving sidewalks with new materials to improve visual design and increase aesthetics.
 - m. Conduct downtown parking study and improve availability of downtown parking.
 - n. Promote formation of downtown development association.

The property is served by town water and sewer. Property has approximately 1,200 feet of road frontage along N. Chatham Ave. Chatham Ave. is a two lane road with a speed limit of 25/35 mph and 2,100 average daily trips (2012).

Impact on Landowners, Immediate Neighbors, and Surrounding Community

Almost all of the existing uses are nonconforming uses within the current L-I zoning district. All of the existing uses will be permitted uses within the proposed C-C and B-1 zoning districts.

Relationship of Uses

1. Current use of subject property is motor vehicle sales, retail sales, parking, single family residential, vacant, storage, and motor vehicle repair.
2. Surrounding land uses include; single family residential, police department, fire department, multifamily residential, parking, vacant, tire sales/retreading, bank, railroad, child day care, motor vehicle repair, chiropractor, warehouse, and church.
3. Surrounded by C-C, R-10, H-C, L-I, O-I, R-6, and H-I zoning.

Meadows shared the Planning Board Recommendations from the November 9, 2015.

The amendment is consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:

Commercial goals, objectives, and strategies:

- i. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
- ii. Improve the appearance of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas and by controlling signs.
- iii. Encourage through zoning requirements, planned general commercial development rather than small, individual lot development.
- iv. Develop driveway regulations to require access from service drives, prevent multiple driveways on a single lot, and control the spacing of driveways.
- v. These areas are generally located along major thoroughfares that contain a variety of commercial uses. Retail uses include shopping centers, convenience stores, restaurants and services catering to the traveling public. Heavier uses may include automobile dealerships and repair shops, min-warehouses and contractor's yards with appropriate landscaping and buffer requirements.

Mixed use development goals, objectives, and strategies:

- i. This designation has been applied to areas potentially suitable for a variety of office, retail, high density residential or light industrial land uses, where no dominant land use type has emerged.
- ii. Redevelopment area adjacent to the west side of the central business district.
- iii. This area is the site of former manufacturing and heavy industrial uses.
- iv. It is appropriate for office and retail uses compatible with the downtown district.
- v. Reuse of architecturally significant, vacant industrial buildings is encouraged.
- vi. Guide new growth to designated future mixed-use development areas by making public utility extensions into those areas a top priority.
- vii. Encourage planned, mixed-use development instead of incremental, small lot development.

Central Business District goals, objectives, and strategies:

- i. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small business and residential.
- ii. Explore the development of a downtown civic center that would strengthen downtown by providing a central location to house meetings and community entertainment events.

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- iii. Explore the conversion of vacant industrial property into an active "arts market" to provide marketing space and take advantage of a growing arts community.
- iv. Modify the zoning ordinance to allow for residential uses in the commercial area. Residential zoning should be owner occupied and support commercial retail and art studios.
- v. Complete the application process to become a North Carolina Mainstreet Community.
- vi. Explore allowing mixed uses in the downtown zoning district through the conditional use process.
- vii. Produce a "Downtown Development Design manual" to help local business owners with suggested guidelines for development.
- viii. Modify the development ordinances to be more user friendly where possible.
- ix. Visually define the downtown area through unified signage and landmarks.
- x. Increase pedestrian safety in the downtown area through improvement of sidewalks and handicapped accessibility.
- xi. Look at planting plan for street trees along public rights-of-way.
- xii. Explore program of repaving sidewalks with new materials to improve visual design and increase aesthetics.
- xiii. Conduct downtown parking study and improve availability of downtown parking.
- xiv. Promote formation of downtown development association.

Approve the amendment:

- b. To correct manifest error with the zoning map;
- c. Because of changed or changing conditions in a particular neighborhood or community as a whole;
- d. To promote and forward the purposes of the adopted Siler City Land Development Plan; and
- e. To promote the general health, safety and welfare of the citizens of Siler City.

Meadows stated that the Board of Commissioners shall consider the entire range of permitted, special, and conditional uses for the existing and proposed zoning district as listed in the Table of Uses.

Mayor Grimes closed the public hearing at 7:36pm.

A motion that map amendment to rezone tax parcels along the 300-600 blocks of N. Chatham Ave. from Light-Industrial (L-I) to Central-Business (C-C) 15330, 15331, 15335, 15336, 15339, 15346, 15347, 15348, 15349, 15350, 15353, 15354, 61240, 74937, & 76915; and from Light-Industrial (L-I) to Neighborhood-Business (B-1) 15234, 15317, 15326, 15327, 15355, 15356, 15357, 15358, 15522, & 76049 is consistent with the adopted Land Development Plan and any other officially adopted plan because to correct manifest error with zoning map and to promote and forward the purposes of the adopted Siler City Land Development Plan was made by Commissioner Haiges, seconded by Mayor Pro Tem Cheek and unanimously approved.

A motion that the map amendment to rezone the tax parcels along the 300-600 blocks of N. Chatham Ave. from Light-Industrial (L-I) to Central-Business (C-C) 15330, 15331, 15335, 15336, 15339, 15346, 15347, 15348, 15349, 15350, 15353, 15354, 61240, 74937, & 76915; and from Light-Industrial (L-I) to Neighborhood-Business (B-1) 15234, 15317, 15326, 15327, 15355, 15356, 15357, 15358, 15522, & 76049 is reasonable and in the public interest because it corrects a manifest error with zoning map, to promote and forward the purposes of the adopted Siler City Land Development Plan, to promote the

general health, safety and welfare of the citizens of Siler City was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

A motion to approve the map amendment to rezone the following tax parcels along the 300-600 blocks of N. Chatham Ave. from Light-Industrial (L-I) to Central-Business (C-C) 15330, 15331, 15335, 15336, 15339, 15346, 15347, 15348, 15349, 15350, 15353, 15354, 61240, 74937, & 76915; and from Light-Industrial (L-I) to Neighborhood-Business (B-1) 15234, 15317, 15326, 15327, 15355, 15356, 15357, 15358, 15522, & 76049 to correct a manifest error with zoning map, to promote and forward the purposes of the adopted Siler City Land Development Plan, to promote the general health, safety and welfare of the citizens of Siler City was made by Mayor Pro Tem Cheek, seconded by Commissioner Haiges and unanimously approved.

OLD BUSINESS

Welcome To Signs on Hwy 64 – Small Town of the Year

Meadows stated that the current "Welcome To" signs were approved and installed on US 64 at the municipal limits back in 2012 recognizing the Jordan Matthews High girls' basketball state championship. The signs are green with white lettering. A maximum installation of 3 years for any dated sign message is the NCDOT standards. The expiration of the current sign would be 2015. (Incorporation by reference as if fully set forth herein Schedule H)

Meadows stated that the Town recently was awarded 2015 Small Town of the Year by the NC Rural Center. During a previous Town Board meeting, a consensus was made on installing a new sign recognizing the recent award. Per NCDOT, the JM sign will need to be removed because of the date but the Town is allowed 2 slogans not to exceed 3 lines of copy in total. The total cost (fabrication, erection, etc.) of each sign on US 64 is \$350 (total of \$700). All costs are the responsibility of the Town.

Meadows asked the Board of Commissioners to consider approving the slogan (see attached) and Consider a resolution requesting optional "Welcome To" signs be installed along US 64 at the municipal limits.

The Board of Commissioners discussed the signs and asked Meadows research a few items and return to the next meeting.

EPA Brownfields Assessment Grant

Meadows shared information about the grant. Meadows stated that a brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land. (Incorporation by reference as if fully set forth herein Schedule I)

Meadows stated that Brownfield Assessment Grants are for community-wide proposals. The request is for \$200,000 from the hazardous substances funding for sites with potential contamination of hazardous substances, pollutants, or contaminants and \$200,000 from the petroleum funding for sites with potential petroleum contamination. The grant provides funds to conduct community outreach/involvement, site inventory and prioritization, Phase 1 and Phase II Environmental Site Assessments, and site planning related to brownfield sites.

Meadows stated that town staff believes working to build a sustainable Brownfields program can further stimulate economic development in our community. Staff views proactive engagement of Brownfield assessment and possible remediation as one fundamental tool available to enhance and catalyze development investment of prime properties within our community.

Meadows stated on July 2014, Darin McClure (President of Mid-Atlantic Associates) presented to the Town Board regarding EPA Brownfields Assessment grants. Following the presentation, the Town Board authorized staff to send out RFQ for professional consulting services for a Brownfield Assessment Project. After reviewing the submittals and holding oral interviews, Staff selected Mid-Atlantic Associates.

Meadows stated in October 2014, the Town executed a master services agreement with Mid-Atlantic Associates, Inc. to provide environmental engineering and consulting services for EPA Brownfields projects. The Town submitted an EPA Brownfields Assessment grant application in December 2014 but was not awarded in May 2015. Mid-Atlantic and Town staff participated in a debriefing with EPA staff regarding the strengths and weaknesses of our 2014 application.

Meadows stated the grant guidelines for this year's application cycle were released on October 15, 2015. The application deadline is December 18, 2015. During the past several weeks, Town staff has been communicating with Mid-Atlantic staff about the contents of the new grant application in preparation for the 2015 deadline. Town staff will also be seeking letters of support from the following organizations:

1. Chatham Chamber of Commerce
2. Chatham County Public Health Department
3. Chatham EDC
4. Chatham Hospital
5. Chatham Soil & Water Conservation District
6. NC Cooperative Extension Service – Chatham County
7. NC Rural Center
8. NC State University Department of Biological & Agricultural Engineering
9. NC Wildlife Resources Commission
10. Piedmont Conservation Council, Inc.
11. Siler City Development Organization, Inc.
12. Siler City Merchants Association
13. Triangle J COG

Meadows asked the Board of Commissioners to consider authorizing the Town Manager to execute an application for EPA Brownfields Assessment Grant as prepared and submitted by Mid-Atlantic.

A motion to authorize the Town Manager to execute the application for the EPA Brownfields Assessment grant as presented was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

Lower Reservoir Refinancing

Speicher shared the following documents with the Board of Commissioners (Incorporation by reference as if fully set forth herein Schedule J):

- Memo from Davenport & Company LLC regarding refunding;
- Carolina Bank Commitment Letter #1 (2015 Installment Financing);
- Carolina Bank Commitment Letter #2 (2016 Installment Financing);
- Board Resolution to approve 2015 Installment Financing;
- Form of the Installment Financing Contract (referenced in Board Resolution);
- Form Deed of Trust (referenced in Board Resolution);
- Paul C. Jacobson, Esq., Sands Anderson PC, Bond Council Engagement Letter;
- Paul C. Jacobson, Esq., Sands Anderson PC, Scope of Engagement.

Speicher stated that The Carolina Bank Commitment Letters have been forwarded to BB&T for their approval of the second lien position of Carolina Bank from closing #1 (mid-December) to closing #2 (early January).

Speicher stated that Attorney Paul Jacobson with Sands, Anderson and Ty Wellford with Davenport & Company are at the meeting to answer any questions. The Board of Commissioners discussed the refinancing.

A motion to approve 2015 Installment Financing contract to refinance the Lower Reservoir was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

A motion to approve the Carolina Bank Commitment Letter documents page 15 through 21 of the packet with a closing date of in January 2016 was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

NEW BUSINESSWatercraft Registration

Speicher stated that a new opportunity has presented itself by way of the NC Wildlife Resources Commission. After a success pilot program involving several LPA's across the State, our License Plate Agency would be able to issue watercraft vessel registrations. Currently the closest place to purchase these registrations is Jordan Lake. The only expense to the agency would be to purchase a dedicated computer. According to Lorraine Lassen, LPA Supervisor, this would not negatively impact the service level and it is unclear at this time what the impact of the revenue would be. (Incorporation by reference as if fully set forth herein Schedule K) The consensus of the Board of Commissioners was to move forward with the project.

MANAGER'S REPORT

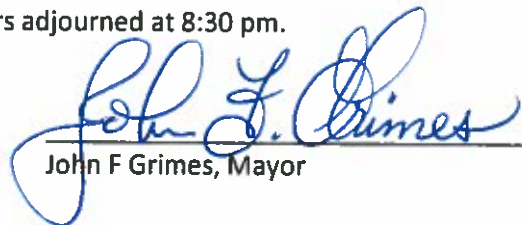
Thompson updated the Board of Commissioners on the following projects: pay study, ribbon cuttings, organizational meeting, Christmas parade, trees at City Hall, Parks and Recreation 205j grant, and a Fire Department grant.

BOARD COMMENTS

Commissioner Constantino shared information concerning the Arts Incubator open house, Commissioner Haiges shared information about the upcoming TJCOG meeting, Mayor Pro Tem Cheek shared information concerning the Landrus Siler Park and the Washington Avenue Park, and Commissioner Price shared information about a mural contest SCDO has started.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:30 pm.



John F Grimes, Mayor

ATTEST:



Jenifer J Everage, Town Clerk

