

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on Monday, November 20, 2017 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 Price recited the Town of Siler City Mission Statement and Commissioner Bray recited the Town of Siler City Vision Statement.

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

ELECTED TOWN OFFICIALS ABSENT: John Grimes

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

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Thompson asked to add amended fee schedule under consent agenda and Closed Session 143-318.11(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment, any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session and 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.

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

CONSENT

A motion to approve the consent agenda which includes the September 18, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule A), October 2, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule B), October 16, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule C), Swimming Pool Construction Contract (Incorporation by reference as if fully set forth herein Schedule D), RFQ-CAM Site Waterline Engineering (Incorporation by reference as if fully set forth herein Schedule E), Budget Amendment 2018.4 (Incorporation by reference as if fully set forth herein Schedule F), and Amended Fee Schedule (Incorporation by reference as if fully set forth herein Schedule O) was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

PUBLIC COMMENT

none

PRESENTATIONS

Lion's Club 5k Run

Juanita Brown, President of the Siler City Lion's Club requested a temporary road closure for a 5k run to be held in April of 2018.

A motion to approve the road closure was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

Parks & Recreation Fund Raising Update

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

In view of the Town Council's approval of developing the new Aquatic Center in three phases, The Steering Committee is moving expeditiously to raise funds while mindful of the due diligence necessary to maximize the funds raised. On Tuesday, Nov. 21, the campaign's Investor Evaluation Task Force will meet to assess leadership prospects and potential levels of investment. This anonymous group of people will consider "think about" ask amounts for large investor prospects in the community. Abundant naming opportunities exist with the new Aquatic Center, providing a unique chance to "raise sights" for prospect giving. The naming rights assigned to various gift levels must be approved by Town Council, and completion of this step is necessary before the first solicitation is made. Since financial exigencies have shifted the campaign's immediate objective from a pool bubble for year-round use to an open-air facility for seasonal (summer) use, the reasons for this transition must be shared and discussed with potential major investors. The appropriate format for this is not on an "ask" call, but rather in an informational setting where no solicitation is made. Questions are asked, answers are provided, and participants need time to deliberate and ponder the facts before making major gifts. The Steering Committee believes, as do those that could be contacted on the Investor Evaluation Task Force, that a targeted Awareness program sharing the Aquatic Center's phased development be conducted through a limited number of small intimate gatherings. This, along with naming opportunities, should be in place before solicitations for major investments occur. The new Aquatic Center is for the ENTIRE community, and the total community will be invited to give to the campaign in due time.

The Board of Commissioners discussed the project and thanked Mikells for his report.

PUBLIC HEARING

Town of Siler City proposes to rezone ~0.8 acres from H-C to B-1. The subject properties are identified as 701, 705, & 709 E. 3rd St. and parcel # 15065, 16886, 16885.

Mayor Pro Tem Cheek opened the public hearing for the proposed rezone ~0.8 acres from Highway-Commercial (H-C) to Neighborhood-Business (B-1), the subject properties are identified as 701, 705, & 709 E. 3rd St. and parcel # 15065, 16886, 16885 at 7:26pm. (Incorporation by reference as if fully set forth herein Schedule J)

Meadows shared the following property information:

1. owned by:
 - a. Bartolo Pita Altamirano & Karina Garcia Suarez
 - b. Marcelo S. & Fidela B. Hernandez
 - c. Janice P. Shelton Trustee
2. located inside the Town's Corporate Limits;
3. located within Central Chatham fire district;

4. located within the Duke Energy Progress electric service district;
5. not located within a watershed protection area; and
6. not located within a special flood hazard area.

Meadows shared the size of tract:

1. Subject tracts are 0.8 acre and includes 3 property owners and 3 tax parcels
2. Size of surrounding tracts is an average of 0.66 acres

Meadows shared the compatibility with the existing Comprehensive Land Development Plan:

1. General commercial development for the subject property. 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.
 - i. Retail uses include shopping centers, convenience stores, restaurants and services catering to the traveling public.
 - ii. Heavier uses may include automobile dealerships and repair shops, min-warehouses and contractor's yards with appropriate landscaping and buffer requirements.
2. General Residential development for the adjacent property to the north. General residential goals, objectives, and strategies:
 - a. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
 - b. Maintain the integrity of existing neighborhoods.
 - c. Encourage the continual development of affordable housing on individual lots.
 - d. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.
 - e. Single-family residential density is recommended to be at a density of between 2 and 4 units per acre in the general residential category.
 - f. Preserve the existing density and scale of development in established residential neighborhoods by excluding the introduction of intensive, non-residential land uses into such neighborhoods and by avoiding the rezoning of established residential areas to a higher density.
 - g. Encourage in-fill development in established residential areas.
 - h. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
 - i. Prevent the conversion of residences to other land uses unless such conversion will assist in stabilizing the larger residential neighborhood or unless such conversion will preserve the unique quality or architectural significance of residences.

Meadows stated that the property is served by public water and sewer. Street/road frontage:

Street/Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit (mph)	Average Daily Trips
E. 3 rd St.	100	2	State	35	5,200 (2012)

The pedestrian master plan recommends sidewalk along the south side of E. 3rd St.

Meadows shared the impact on landowners, immediate neighbors, and the surrounding community:

Zoning District	H-C	B-1
Minimum lot size (square feet)	10,000	8,000
Minimum lot width	100'	80'
Front/street building setback	10'	25'
Side/rear building setback	0'/10'	5'/10'
Height limitation	60'	35'

Meadows stated that the Board 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.

Meadows shared the relationship of uses:

1. Current use of subject properties are single family residential.
2. Surrounding land uses include; church, single family residential, vacant, sales, and auto repair/maintenance.
3. Surrounded by R-10 and H-C zoning.

Meadows shared the Planning Board recommendations from the November 13, 2017 meeting:

1. The amendment is approved and consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:
 - a. General residential development for the adjacent property to the north.
 - b. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
 - c. Maintain the integrity of existing neighborhoods.
 - d. Encourage the continual development of affordable housing on individual lots.
 - e. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels.

Mayor Pro Tem Cheek closed the public hearing at 7:30pm.

A motion that rezoning ~0.8 acres from Highway-Commercial (H-C) to Neighborhood-Business (B-1), the subject properties are identified as 701, 705, & 709 E. 3rd St. and parcel # 15065, 16886, 16885 is approved and consistent with the adopted land development plan and any other officially adopted plan because it promotes the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups and maintain the integrity of existing neighborhoods and the action taken is reasonable in the public interest because it encourage in-fill development in established residential areas was made by Commissioner Fadely, seconded by Commissioner Halges and unanimously approved.

Town of Siler City proposes text amendments to §18 Definitions (yard, front yard, rear yard, side yard), §101 Complaints Regarding Violations, §103 Procedures Upon Discovery of Violations, §104 Penalties and Remedies for Violations, §105 Permit Revocation, §140 Accessory Uses (prohibited residential accessory activities), §159 Single Family Residences, Two Family Residences, and Homes Emphasizing Special Treatment, Supervision, or Care (built upon area, parking, vehicle accommodation areas, accessory use detached building/structures, corner lots, nonconforming, exemptions).

Mayor Pro Tem Cheek opened the public hearing for proposed text amendments to §18 Definitions (yard, front yard, rear yard, side yard), §101 Complaints Regarding Violations, §103 Procedures Upon Discovery of Violations, §104 Penalties and Remedies for Violations, §105 Permit Revocation, §140 Accessory Uses (prohibited residential accessory activities), §159 Single Family Residences, Two Family Residences, and Homes Emphasizing Special Treatment, Supervision, or Care (built upon area, parking, vehicle accommodation areas, accessory use detached building/structures, corner lots, nonconforming, exemptions) at 7:32. (Incorporation by reference as if fully set forth herein Schedule K)

Meadows shared the following documents:

1. draft ordinance amending Article 2, 7, 10, & 11
2. ordinance amending
3. worksheet

Meadows stated that the proposed amendments were first discussed by the Mayor and Board of Commissioners. Town staff prepared the proposed amendments following a review of other communities' ordinances. The Planning Board has reviewed draft language at several regular meetings.

Meadows shared the compatibility with the existing Comprehensive Land Development Plan:

1. Modifying the development ordinances to be more user friendly where possible.
2. Single family residential made up 26.9% of total acreage within the town limits in 2003.
3. The percentage of site-built single-family homes as a total of the overall housing supply decreased from 75.6 % in 1989 to 67% in 2003.
4. New development should meet yard and dimensional standards of the existing zone as closely as possible.
5. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
6. Maintain the integrity of existing neighborhoods.
7. Preserve the existing density and scale of development in established residential neighborhoods by excluding the introduction of intensive, non-residential land uses into such neighborhoods
8. Preserve the existing housing stock by vigorously enforcing the minimum housing code and providing financial assistance to rehabilitate and stabilize deteriorating housing.
9. Prevent the conversion of residences to other land uses unless such conversion will assist in stabilizing the larger residential neighborhood or unless such conversion will preserve the unique quality or architectural significance of residences.

Meadows shared the Planning Board recommendations from the November 13, 2017 meeting:

1. The amendment is consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:
 - a. Modifying the development ordinances to be more user friendly where possible.

- b. Promote the development of high quality housing in varying types and costs to meet the demands of all income levels and age groups.
- c. Maintain the integrity of existing neighborhoods.

A motion was made to continue the public hearing until December 4, 2017 by Commissioner Haiges, seconded by Commissioner Constantino and unanimously approved.

OLD BUSINESS

Drug and Alcohol Testing Policies and Procedures

Darden presented an updated Drug and Alcohol Testing Policies and Procedures. The Board of Commissioners discussed the changes.

A motion to approve the Town of Siler City Drug and Alcohol Testing Policies and Procedures was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

NEW BUSINESS

Swimming Pool Bathhouse Bid Award

Thompson presented a recommendation from McGill Associates to award the swimming pool bathhouse bid to Ellington Contracting, Inc. of North Carolina for \$350,000. The Board of Commissioners discussed the bid.

A motion to award the swimming pool bathhouse to Ellington Contracting, Inc. of North Carolina for \$350,000 was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

Thompson presented the Swimming Pool Bathhouse Agreement between the Town of Siler City and Ellington Contracting, Inc. of North Carolina.

A motion to approve the Swimming Pool Bathhouse Agreement between the Town of Siler City and Ellington Contracting, Inc. of North Carolina was made by Commissioner Fadely, seconded by Commissioner Siler and unanimously approved.

Bray Park Address

Keel stated that the Parks and Recreation staff has secured 8 tournaments over the past 7 months at the Bray Park Sports Complex. These tournaments have included Top Gun Softball, Main Event Baseball & Softball and State Wide Athletic Committee (SWAC) State Baseball events. Staff has also reached out to Nations Baseball & Softball and USSSA Baseball & Softball. Both have shown interest in hosting tournaments in Siler City at Bray Park. Nations has already requested 5 weekends between March and June to host tournaments at Bray Park Sports Complex.

The majority of these tournaments are for teams across North Carolina and some teams from Virginia and South Carolina. While Staff is successfully bringing tournaments to Bray Park, we see that teams are having trouble finding Bray Park. If you plug 800 Alston Bridge Road into GPS, it sends you almost 2.5 miles past Bray Park out of the city limits. This is due to Alston Bridge Rd. being partly addressed by the Town of Siler City and the other portion being addressed by Chatham County.

After speaking with Chatham County and reviewing options on how to address this issue, Staff recommends that the entrance to Bray Park be named as Bray Park Complex Drive. This would allow Staff to advertise our location to Bray Park by a different address other than 800 Alston Bridge Road.

This recommendation would solve our issue without effecting any other addresses on Alston Bridge Road. Most importantly, it will get our, out of town teams to Bray Park Sports Complex more efficiently and on time.

The Board of Commissioners discussed the street address.

A motion to approve the new drive and location for Bray Park Sports Complex Drive was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

MANAGERS REPORT

none

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

Commissioner Bray asked about adding a Festival Committee to the next agenda. The Board of Commissioners agreed. Commissioner Bray stated that she had some concerns about the Highway 64 upgrades and would like NCDOT to present them to the Board of Commissioners. Thompson stated that a special meeting would be arranged.

A motion to accuse Commissioner Siler for the remainder of the meeting was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

CLOSED SESSION

A motion to go into Closed Session 143-318.11(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment, any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

A motion to come out of closed session was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

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 Price and unanimously approved.

A motion to come out of closed session was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

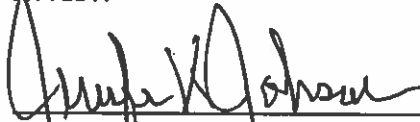
ADJOURNMENT

With no further business the Board of Commissioners adjourned at 9:35pm.



Larry Cheek, Mayor Pro Tem

ATTEST:



Jenifer K Johnson, Town Clerk

