

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, December 4, 2017** at 7:00pm in City Hall Courtroom with Mayor Pro Tem Cheek presiding. Mayor Pro Tem Cheek gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Constantino recited the Town of Siler City Mission Statement and Commissioner Fadely 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, Attorney William Morgan, Police Chief Gary Tyson, Human Resources Director Nancy Darden, Finance Director Roy Lynch, Planning Director Jack Meadows, Parks and Recreation Director Joseph Keel, and Town Clerk Jenifer Johnson.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

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

CONSENT

A motion to approve the consent agenda which includes the October 30, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule A) and the November 6, 2017 Minutes (Incorporation by reference as if fully set forth herein Schedule B) was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

ORGANIZATIONAL ITEMS

Oath of Office

District Court Judge Joseph M Buckner administered the oath of office for the following newly re-elected officials: Cindy Bray – At-Large Commissioner, Lewis Fadely – District 5 Commissioner, Tony Siler – District 1 Commissioner. (Incorporated by reference as if fully set forth herein Schedule C)

Elect Mayor Pro Tem

Thompson asked this item to be tabled until Mayor Grimes can be at the meeting. (Incorporated by reference as if fully set forth herein Schedule D)

A motion to table the election of Mayor Pro Tem until Mayor Grimes can be at a meeting was made by Commissioner Siler, seconded by Commissioner Price and unanimously approved.

2018 Calendars

Thompson shared the 2018 Town of Siler City Calendars which included the following: Board of Commissioners Regular Meetings, Board of Commissioner Budget Meetings, Planning Board Meetings, Airport Authority Meetings, and the Holiday Schedule (Incorporated by reference as if fully set forth herein Schedule E) with the Board of Commissioners.

A motion to approve the 2018 Calendars as amended was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

Ethics Training

Thompson stated under North Carolina law, members of governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties are required to receive at least two (2) clock hours of ethics training within twelve months after each election or appointment to office. The ethics training requirement is an ongoing obligation, triggered by each subsequent re-election or reappointment to office. (Incorporated by reference as if fully set forth herein Schedule F)

§ 160A-87. Ethics education program required.

(a) All members of governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall receive a minimum of two clock hours of ethics education within 12 months after initial election or appointment to the office and again within 12 months after each subsequent election or appointment to the office.

(b) The ethics education shall cover laws and principles that govern conflicts of interest and ethical standards of conduct at the local government level.

(c) The ethics education may be provided by the North Carolina League of Municipalities, North Carolina Association of County Commissioners, North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the governing board.

(d) The clerk to the governing board shall maintain a record verifying receipt of the ethics education by each member of the governing board. (2009-403, s. 1.)

Thompson stated in collaboration with the North Carolina Association of County Commissioners and the North Carolina League of Municipalities, the School of Government provides ethics training for city and county governing board members. School board members receive their training through the North Carolina School Boards Association. Sanitary District board members may participate in city and county programs conducted by the School of Government.

Thompson stated that the School of Government offers four opportunities for ethics training during the 12 month period following each election cycle:

- Essentials of City/County Government / Leadership: Jan-Feb (registration opens the previous November immediately following the November general election)
- Live Webinar: mid-May (free on-demand webinar with purchase of live webinar)
- On-Demand Webinar: June-October
- NCLM or NCACC Fall Conference

Thompson shared the School of Government dates and locations for ethics training.

Legislative Agenda

Thompson shared the North Carolina League of Municipal (NCLM) Member cities and towns recently approved legislative priorities for the 2017-18 legislative biennium, with several of those priorities

focused on the significant revenue challenges facing municipalities. The approval of the goals marked the culmination of more than six months of work by the League's four policy committees, which individually are made up of dozens of municipal officials from around the state, as well as the League's Board of Directors and general membership. (Incorporated by reference as if fully set forth herein Schedule G)

Thompson stated during its organizational meeting last year, the Siler City Board of Commissioners agreed that an annual review of the NCLM legislative agenda was appropriate, and that this would be conducted during the Town Board's annual organizational meeting. In addition, the Board agreed that this review would offer an opportunity for the Board to discuss any other legislative public policy issues that are relevant to Siler City interests and to direct what type, if any, advocacy efforts are to be engaged in support of the same.

Thompson stated that no action is required of this item unless the Board wishes to direct Staff to engage advocacy efforts on one or more of the NCLM legislative agenda items, or if the Board has any other legislative items desiring to be pursued.

Triangle J Council of Governments Board Appointments

Thompson stated that Triangle J Council of Governments (TJCOG) is requesting the confirmation/appointment of your Delegate and Alternate Delegate to the TJCOG Board. Currently serving as Delegate is Commissioner Bill Haiges. Currently serving as Alternate Delegate is Mayor John Grimes. (Incorporated by reference as if fully set forth herein Schedule H)

A motion to appoint Commissioner Bill Haiges as Delegate and Mayor John Grimes as Alternate Delegate was made by Commissioner Price, seconded by Commissioner Siler and unanimously approved.

2018 Fire Department Officers

Thompson stated on November 27, 2017 the Fire Department held the annual election of officers, which include two Assistant Chiefs, Secretary and Assistant Secretary, five Captains, two Safety Officers. The members of the Fire Department voted for the following:

Assistant Chiefs: Billy Scott and Todd Williams, Captains: Mike Powers, Daniel Murphy, Stephen Easter, Jeff Griffin, Mike Smith, Safety Officers: Jerry Ward and Eddie Dixon, Secretary: Charlie McLaurin, and Assistant Secretary: Darden Jarman. (Incorporated by reference as if fully set forth herein Schedule I)

A motion to appoint the Fire Department officers as presented was made by Commissioner Haiges, seconded by Commissioner Fadely as unanimously approved.

PRESENTATIONS

None

PUBLIC HEARINGS

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 the 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) at 7:17pm. (Incorporated by reference as if fully set forth herein Schedule J)

Meadows shared the following documents:

1. List of complaints;
2. Current built upon area examples;
3. Photographs from Google Maps – substantially enclosed structures
4. Regulations from other communities;
5. draft ordinance amending Article 2, 7, 10, & 11;
6. ordinance amending; and
7. 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 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.

Mayor Pro Tem Cheek closed the public hearing at 7:49pm.

A motion that the text amendment is approved and consistent with the adopted land development plan and any other officially adopted plan because it addresses the changing nature of the community and the action taken is reasonable in the public interest because it addresses appearance was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

To consider a request of Engineered Plastic Components for economic development incentives

Mayor Pro Tem Cheek opened the public hearing to consider a request from Engineered Plastic Components for economic development incentives at 7:50pm.

Jamie Vaughn with Chatham County Economic Development shared a request and economic impact study for incentives from Engineered Plastic Components. (Incorporated by reference as if fully set forth herein Schedule K)

Mayor Pro Tem Cheek closed the public hearing at 8:05pm.

The Board of Commissioners discussed the incentives.

A motion to have the Town Attorney prepare an incentive contract for Engineered Plastic Components and bring it back to the Board of Commissioners was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

OLD BUSINESS

Festival Committee

Thompson stated at a previous meeting the Board of Commissioners had requested the formation of a Festival Committee. After Staff conversation, the Parks and Recreation Advisory Committee are will to assume the festival responsibilities. (Incorporated by reference as if fully set forth herein Schedule J)

A motion to have the Parks and Recreation Advisory Committee also work on a festival was made by Commissioner Haiges, seconded by Commissioner Bray and unanimously approved.

NEW BUSINESS

Withdraw from Dedication – Portion of Greenwood Drive

Meadows stated that Ronnie Lee Jackson and Linda P. Jackson of 502 Greenhill Drive and Jane King Teleki of 426 Greenhill Drive are seeking to withdraw from dedication a portion of Greenwood Drive. This request is being made pursuant to NCGS §136-96 and §136-66.2 by requesting the Town Board adopt a resolution that the street:

1. is not part of the Town's thoroughfare plan;
2. has not actually been opened and used by the public within 15 years; and
3. is conclusively presumed to have been abandoned by the public for the purposes for which same shall have been dedicated.

Meadows stated that Greenwood Drive is not designated as a minor or major thoroughfare per the Town's adopted thoroughfare plan. The subject street portion is not built in accordance with required public street standards nor maintained by the Town. However, the subject right-of-way has been used as private driveways to access the properties at 502 Greenhill Drive and 426 Greenhill Drive as far back as 1997 per aerial photography. (Incorporated by reference as if fully set forth herein Schedule M)

A motion to approve the resolution to withdraw from dedication a portion of Greenwood Drive was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

Chatham County Human Relation Task Force

Thompson shared information from Chatham County concerning a new Human Relations Task Force. The Board of Commissioners asked the Town Manager to get some more information from Chatham County and report back at the next meeting. (Incorporated by reference as if fully set forth herein Schedule N)

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 was made by Commissioner Bray, seconded by Commissioner Price and unanimously approved.

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

A motion to come out of closed session was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved at 9:39pm.

Thompson shared an Incentive Agreement Addendum for Mountaire Farms with the Board of Commissioners.

A motion to approve the Incentive Agreement Addendum for Mountaire Farms was made by Commissioner Haiges, seconded by Commissioner Fadely 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 was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

A motion to come out of closed session was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved at 9:53pm

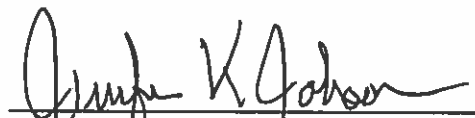
ADJOURNMENT

With no further business the Board of Commissioners adjourned at 9:54pm.



Larry Cheek, Mayor Pro Tem

ATTEST:



Jenifer K Johnson, Town Clerk

