

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 February 5, 2024 MINUTES  
 PAGE 1 OF 7

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on **Monday, February 5, 2024** at 6:30pm in the City Hall Courtroom with Mayor Matthews presiding. Commissioner Alston gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Brown recited the Town of Siler City Mission Statement and Commissioner Hauser recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Albert Alston, Norma Boone, Cindy Bray, Alec Hauser, Donald Matthews, Commissioner Brown and Lewis Fadely arriving at 6:49pm.

**ELECTED TOWN OFFICIALS ABSENT:** Travis Patterson

**TOWN STAFF PRESENT:** Town Manager Hank Raper, Finance Director John O'Keefe, Public Utilities Director Chris McCorquodale, Public Works Director Cal Pettiford, HR Director Nancy Darden, Town Clerk Kimberly Pickard, Community Development Director Jack Meadows, and Planning Director Jennifer Baptiste.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Commissioner Boone requested to remove item 3.2 Staff Phone Call Back Policy Schedule B to New Business

Town Manager noted that a Closed Session 12.1 143-318-.11 (a)(6) had been added to the agenda.

*A motion to move item 3.2 Staff Phone Call Back Policy Schedule B to New Business and Closed Session 12.1 143-318-11 (a)(6) to agenda was made by commissioner Boone, seconded by Commissioner Bray, and unanimously approved.*

*A motion to approve the agenda as amended was made by Commissioner Brown, seconded by Commissioner Boone, and unanimously approved.*

**CONSENT**

*A motion to approve the consent agenda which includes the January 16, 2024, Minutes (Incorporation by reference as if fully set forth herein Schedule A), was made by Commissioner Brown, seconded by Commissioner Boone, and unanimously approved.*

**PRESENTATION**

Anna Stormzand with Safe Kids Chatham presented the Board of Commissioners an overview of the program.

Taylor Hobbs with Hobbs Architects gave a design presentation on the Carter Bank Building.

**PUBLIC COMMENT**

Lee Lambert: 51 Fallenwood Lane, Chapel Hill, NC : Lee Lambert discussed his company along with Luck Stone contributing a donation to Habitat for Humanity and Chatham County Schools with the funds being directly allocated for Chatham County Schools located in Siler City NC.

Anna Trell: 212 Prince Street, Carrboro, NC 27510 representative from Habitat for Humanity.  
 Jad Malaeb; representative from Luck Stone Pittsboro Plant NC.

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
February 5, 2024 MINUTES  
PAGE 2 OF 7

Stella McSwain: 124 Jordan Grove Rd Siler City NC 27344: voiced her concerns over the sewer portion of her utility bill. She wanted to know why she was being charged same amount for sewer as water.

Louise Adcock 116 White Oak Lane, Siler City NC 27344: had concerns over the high volume of traffic around Jordan Matthews High School. She stated it was very dangerous, and students had no concerns for safety.

### PUBLIC HEARING

Mayor Matthews opened the Public Hearing at 7:40pm:

R24-010 Conditional Rezoning-Duke Energy North of West Third Street and East of Ellington Rd.

Planning Director, Jennifer Baptiste shared that the applicant Duke Energy is requesting to conditionally rezone a portion of a parcel from Agricultural Residential (A-R) to Agricultural Residential/Conditional (A-R-C).

On January 8, 2024, the Planning Board conducted a public meeting regarding this request. Five (5) individuals signed to speak in favor, but only one (1) individual spoke. One individual spoke in opposition to the request.

The Planning Board spoke unanimously to recommend Approval of the request to the Town Board. The Planning Board found the request was inconsistent with the Land Use Plan, but recommends amending the Plan to Mixed Use.

Planning Director, Jennifer Baptiste shared the following background information:

The property is located north of W. Third Street and to the east of Ellington Road. The total acreage of the property is 47.73 acres, but only 25.85 acres of the parcel is the subject of this application and being rezoned for this use.

Applicant: Wayne Nicholas of Duke Energy Progress

Owner: Womble Leisel Estate et al & Womble Burdine Estate (c/o Linda Ellington)

Requested Action: Conditional rezoning of a parcel zoned as A-R to A-R-C

Property Addresses: unaddressed parcel W. Third Street

Status of Properties: Undeveloped

Size: 25.85 acres ±

Adjoining Zoning & Land Use:

- North: A-R - Elementary School
- South: A-R and R-10 - Undeveloped
- West: A-R - Undeveloped
- East: A-R - Single-Family Residential/Undeveloped
- Traffic Count: NCDOT 2,700 trips (2021)

Letters Mailed: 23

Planning Director, Jennifer Baptiste shared the following Land Use Plans:

With the adoption of the Siler City Land Development Plan in December 2017, all properties within the city limits as well as properties identified as being in the Extra-territorial Jurisdiction (ETJ) are subject to this plan.

According to the Plan, these parcels are recommended to be developed as Medium-Density Residential.

Planning Director Jennifer Baptiste shared the issues/ analysis to the surrounding area:

To the north of the property is the Siler City Elementary School. Vacant, undeveloped properties are located to the east and south of the site and currently share the same parcel number as the portion of property that is the subject of this rezoning. A single-family residential home is located to the east of this property. This development is located along W.

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 February 5, 2024 MINUTES  
 PAGE 3 OF 7

Third Street in a sparsely developed, heavily wooded area of the roadway. Further to the west of this site is the apartment community, Tripp Cottages. Ellington Road and W. Third Street are considered standard and above standard roadways. Due to the infrequent trips to site that this use would entail, both roadways are able to accommodate vehicular traffic to this site this use would generate.

Planning Director, Jennifer Baptiste shared the following infrastructure, impact on landowners, immediate neighbors and surrounding communities.

1. Public water and sewer are located along W. Third Street and Ellington Road.
2. Area streets:

Street - Road	Road Frontage (feet)	Travel Lanes	Maintenance	Speed Limit	Avg. Daily Trips
W. Third St.	706	2	Town	35	1300 (2018)
Ellington Rd	1040	2	Town	35	N/A

Planning Director, Jennifer Baptiste shared the Impact on Landowners, Immediate Neighbors, and Surrounding Community:

Zoning District	A-R	A-R-C
Minimum lot size (square feet)	40,000	40,000
Recommended minimum lot width	100'	100'
Street right-of-way building setback	40'	40'
Lot boundary building setback	20'	20'
Height limitation	40'	40'

Conditional Rezoning:

The request is for conditional zoning from Agricultural Residential (A-R) to Agricultural Residential/Conditional (A-R-C). The application states the proposal is to locate an electrical substation on the site. The substation is intended to provide a stable power grid for the area. The substation will be unmanned and will only have periodic maintenance visits to the site.

Compatibility with Existing Land Development Plan:

The adopted Land Development Plan (LDP) recommends these parcels develop as Medium-Density Residential.

Medium-Density Residential is defined as "areas of residential development, typically single-family structures, with minimum lot sizes of approximately ¼ acre or greater."

The objectives identified in the Land Development Plan for Medium-Density Residential are:

1. Limit impacts of development on the environment and promote sustainability.
2. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
3. Improve the appearance of properties.
4. Permit residential development at a moderate density that is consistent with historical development patterns in the Town.
5. Maintain the integrity of existing neighborhoods.
6. Promote walkable, interconnected neighborhoods.

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 February 5, 2024 MINUTES  
 PAGE 4 OF 7

7. Encourage the development of affordable housing.
8. Encourage provision of recreation and park land for Town residents.
9. Encourage efficient use of transportation networks.

Based on the definition of Medium-Density Residential classification and the identified objective, this rezoning would be inconsistent with the 2017 Land Development Plan. (Please see information on Consistency Statement attached.) If a recommendation to rezoning this parcel is proposed, then a recommendation to amend the Land Development Plan to Mixed Use would also need to be made for this development. Mixed Use is defined as "areas often near major streets and highways, or in the central business district, and contain a variety of commercial, public, and residential land uses.

Commercial uses could include retail shops and shopping centers, convenience stores, restaurants, offices, medical services, and automobile dealerships, among others. Residential uses in these areas are typically at a high density and may be standalone residential structures or in a shared structure with a commercial use.

The objectives identified in the Land Development Plan for Mixed Use are:

1. Limit impacts of development on the environment and promote sustainability.
2. Encourage development to occur in areas with existing or planned infrastructure such as water, sewer, roads, and sidewalks.
3. Encourage attractive commercial development in appropriate locations suitable for commercial purposes.
4. Encourage the continued commercial retail, service, and office development of the central business district, as well as encouraging compatible residential uses.
5. Improve the appearance of properties.
6. Limit the proliferation of single purpose highway oriented commercial areas and encourage mixed-use development.
7. Allow the redevelopment of single-purpose commercial sites into mixed-use sites over time.
8. Promote downtown Siler City as an active, attractive community that accommodates multiple uses such as the arts, small businesses, and residential.
9. Encourage the development of affordable housing.
10. Encourage close proximity of higher-density residential uses to mixed-use areas and
  - a. compatible industrial areas.
11. Encourage efficient use of transportation networks.

Planning Director, Jennifer Baptiste explained to the Board of Commissioners their options:

1. Approval of the map amendment/rezoning to A-R-C and find the rezoning inconsistent with the Siler City Land Development Plan, but amend the Land Development Plan to Mixed Use; or
2. Denial of the rezoning request as not consistent with the surrounding area and the Siler City Land Development Plan; or
3. Table item to a date certain.

Amy Crout, Attorney for Duke Energy Progress went over the overview of the project along with the timelines of the project and provided a power point presentation to the Board of Commissioners outlining the project scope and the property in which the new substation would be constructed.

TOWN OF SILER CITY  
 BOARD OF COMMISSIONERS  
 February 5, 2024 MINUTES  
 PAGE 5 OF 7

Wayne Nicholas agent for Duke Energy Progress answered questions from the Board of Commissioners. Commissioner Hauser questioned the landscaping and if the Town of Siler would be responsible for landscaping, Nicholas stated no that would be the responsibility of the property owner and not the Town of Siler City.

Mayor Matthews closed the Public Hearing at 8:01pm.

*A motion to approve the proposed Zoning Map Amendment from A-R to A-R-C, the motion amendment is inconsistent with the Town of Siler City's Future Land Use Plan based on the Staff Report, supporting exhibits (Schedule C), the Consistency Statement, and testimony provided, but motion to amend the Land Development Plan from Medium-Density Residential to Mixed Use was made by Commissioner Brown, seconded by Mayor Pro Tem Fadely and unanimously approved.*

OLD BUSINESS

NONE

NEW BUSINESS

Downtown Streetscape Masterplan

Community Development Director, Jack Meadows shared information regarding the Downtown Streetscape Masterplan:

The Town of Siler City received a \$99,800.00 grant from the US Department of Agriculture (USDA) to produce a Downtown Streetscape Masterplan. The Downtown Streetscape Masterplan focuses on the layout and design of the streetscape (street trees, sidewalks, parking, etc.) and public spaces (outdoor eating, open areas, plazas). Through site analysis and public input, the plan provides a shared community Vision that will guide future improvements, enhance the pedestrian experience, promote walkability, improve safe access, and foster economic development in Downtown Siler City.

Community Engagement:

1. December 2022-March 2023 - Online Survey #1
2. March 1, 2023 - Public design workshop at City Hall (4p-6:30p)
3. June 28, 2023 - Public design alternatives presentation at City Hall (4p-6:30p)
4. June-August 2023 - Design Alternates Online Survey #2 (including additional onsite outreach to the Spanish speaking community)
5. Key Stakeholder Interviews - NCDOT, Town staff, local business owners

Daniel Whatley, Director of Design with WithersRavenel presented an overview of the Masterplan and different ideas that other towns have introduced.

*A motion to approve the Town of Siler City Downtown Streetscape Masterplan - dated February 5, 2024 was made by Mayor Pro Tem Fadely, seconded by Commissioner Boone and unanimously approved.*

Position Reclassification Public Works: Town Manager, Hank Raper explained with the retirement of Joseph Smith, and the future transition of the public utilities moving to Sanford, the Town of Siler City is in need of a employee that holds three needed certifications. Joseph

Prepared by Kimberly Pickard, Town Clerk

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
February 5, 2024 MINUTES  
PAGE 6 OF 7

Smith has agreed to return to the Town of Siler City as a contract worker, with the town contracting with Joseph Smith on a monthly basis the Town will be able to fulfill the various state reporting obligations. Currently, no other Town employees have the ORC certifications as required by the State of NC.

Town Manager, Hank Raper also further explained that with Joseph Smith returning as a contractor, his past position would be reclassified from Public Works Superintendent to General Services Supervisor. The reclassified position would supervise building maintenance, custodian positions, and with more administrative responsibilities which would improve communication with citizens and help maximize budget resources when purchasing.

Town Manager did inform the Board of Commissioners that the hire would be internal. The Commissioners asked for specifics and due to Personnel policies, questions would have to be asked in closed session.

*A motion to discuss the position reclassification in Closed Session was made by Mayor Pro Tem Fadely, seconded by Commissioner Boone and unanimously approved.*

Phone Callback Policy:

Town Manager, Hank Raper discussed staff's strong desire to provide excellent customer service and the following phone Callback policy is requested for implementation:

When staff is working, it is the expectation that voicemails be returned within 24 hours. If the voicemail is received on a Friday or the day prior to a holiday or a scheduled day off, the expectation would be to apply the expectation to the day staff returns to work.

Commissioner Fadely stated that most of the calls he receives are about the water bills specifically how much the bills are. He stated that his assistant, Shirley made two calls to town hall about the loss of two recycle cans and no one returned her call. However, he called Public Works Director, Cal Pettiford, directly and had two replacements the same day. He went further to say he wishes to see stronger communication and what are the types of or a level of proof? How would management determine the complaints are legitimate and not just a disgruntled individual complaining?

Commissioner Boone, recommended staff follow the similar approach as the school system and follow Care, concern, and passion.

### MANAGER'S REPORT

Town Manager, Hank Raper discussed his meetings with different city officials including the City of Sanford at the Managers Conference that was held the week of January 29, 2024 in Winston Salem.

### TOWN ATTORNEY INFORMATION

NONE

### GOVERNING BODY COMMENTS

TOWN OF SILER CITY  
BOARD OF COMMISSIONERS  
February 5, 2024 MINUTES  
PAGE 7 OF 7

Mayor Pro Tem Fadely discussed the need for a Special Meeting for Thursday February 8, 2024 to discuss Design Phases with the Town’s economic partners.

CLOSED SESSION

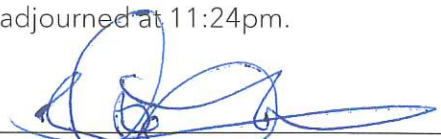
*A motion to go into closed session § 143-318.11 (a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee at 9:51pm was made by Commissioner Brown, seconded by Commissioner Boone and unanimously approved.*

*A motion to come out of closed session at 11:13pm was made by Mayor Pro Tem Fadely, seconded by Commissioner Brown and unanimously approved.*

*A motion to approve the position reclassification of Public Works Superintendent to General Services Supervisor effective Tuesday, February 6, 2024 was made by Mayor Pro Tem Fadely, seconded by Commissioner Brown, Yay, Commissioner Boone, Commissioner Alston, Commissioner Hauser, Commissioner Brown, and Mayor Pro Tem Fadely, Nay Commissioner Bray. The motion passed 6-1.*

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 11:24pm.

  
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Donald Matthews, Mayor

ATTEST:  
  
\_\_\_\_\_  
Kimberly D. Pickard, Town Clerk

