

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, March 1, 2021** at 6:30pm in City Hall Courtroom with Mayor Pro Tem Bray presiding. Commissioner Boone gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Town of Siler City Mission Statement and Commissioner Brown recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Cindy Bray, Norma Boone, Bill Haiges, Thomas "Chip" Price, and Tony Siler, Zoom: Curtis Brown, Lewis Fadely

TOWN STAFF PRESENT: Town Manager Roy Lynch, Attorney William Morgan, Finance Director Tina Stroupe, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, Police Chief Mike Wagner, Parks and Recreation Director Jack Clelland, and Town Clerk Jenifer Johnson

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Lynch requested the addition of the following:

1. Promissory Note – NC Drinking Water State Revolving Fund for Water Treatment Plant Project Schedule N under consent
2. Withdraw from Dedication- Portion of Brooks Alley, Schedule M under New Business.
3. Closed Session § 143-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

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

CONSENT

A motion to approve the consent agenda which includes the February 15, 2021 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Amendment to Audit Contract with Dixon Hughes (Incorporation by reference as if fully set forth herein Schedule B), Kaeser Compressors Agreement - WWTP (Incorporation by reference as if fully set forth herein Schedule C), Power DMS Software Agreement (Incorporation by reference as if fully set forth herein Schedule D), City Hall Renovation Budget Amendment (Incorporation by reference as if fully set forth herein Schedule E), City Hall Renovation Contract with Ellington Contractors (Incorporation by reference as if fully set forth herein Schedule F), Nuisance Abatement Services (Incorporation by reference as if fully set forth herein Schedule G), Obstruction Removal Contract (Incorporation by reference as if fully set forth herein Schedule H), Promissory Note – NC Drinking Water State Revolving Fund for Water Treatment Plant Project (Incorporation by reference as if fully set forth herein Schedule N) was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

PUBLIC COMMENT PERIOD

Lynch shared the following letter from Donald Matthews, 909 12th Street, Siler City, NC 27344:

We are coming to you to start a conversation and hopefully your approval. We are asking that you support our recognition of the contributions of business (African American) that were formerly located on Birch Avenue. There are others located downtown. The plan is to list them all on a plaque honoring them and giving them their rightfully place in history and their contributions to Siler City. This part of our history will be lost if we do not take advantage of

the situation now. Many of those that remember are dying, pictures are getting hard to come by. We have already started the reach and are putting together the necessary information for the project. The list of business includes Edwards Jewelry, Spencer's Shoe repair, Haith's TV repair, Henrietta barber shop, Walden Sound and Farrar's diner. We are requesting a mural and plaque to honor Birch Ave. The estimated cost for this project is \$2,000-3,000. We are also planning a Juneteenth celebration on June 19th or the 3rd Saturday in June yearly. we are requesting a one-time investment of \$1500. This is seed money. We will have food, vendors, arts, and crafts. There will be music and special guest speakers. In case you are unaware of the history behind Juneteenth, I have included a brief description of the meaning. I thank you in advance for your time and consideration. I can be contacted at 336-653-4129 or e-mail:donaldmatthews526@gmail.com.

"President Abraham Lincoln's Emancipation Proclamation had officially outlawed slavery in Texas and the other states in rebellion against the Union almost two and a half years earlier. Enforcement of the Proclamation generally relied on the advance of Union troops. Texas being the most remote of the slave states had a low presence of Union troops as the American Civil War ended; thus, enforcement there had been slow and inconsistent before Granger's announcement. Although Juneteenth generally celebrates the end of slavery in the United States, it was still legal and practiced in two Union border states (Delaware and Kentucky) until later that year when ratification of the Thirteenth Amendment to the Constitution abolished chattel slavery nationwide in December. Celebrations date to 1866, at first involving church-centered community gatherings in Texas. It spread across the South and became more commercialized in the 1920s and 1930s, often centering on a food festival. During the Civil Rights Movement of the 1960s, it was eclipsed by the struggle for postwar civil rights but grew in popularity again in the 1970s with a focus on African American freedom and arts. By the 21st century, Juneteenth was celebrated in most major cities across the United States. Activists are campaigning for the United States Congress to recognize Juneteenth as a national holiday. Hawaii, North Dakota, and South Dakota are the only states that do not recognize Juneteenth, according to the Congressional Research Service. Modern observance is primarily in local celebrations. Traditions include public readings of the Emancipation Proclamation, singing traditional songs such as "Swing Low, Sweet Chariot" and "Lift Every Voice and Sing", and reading of works by noted African American writers such as Ralph Ellison and Maya Angelou. Celebrations include rodeos, street fairs, cookouts, family reunions, park parties, historical reenactments, and Miss Juneteenth contests. The Mascogos, descendants of Black Seminoles, who escaped from U.S. slavery in 1852 and settled in Coahuila, Mexico, also celebrate"

Proposed Budget; \$2,000-\$3,000- Plaque and mural, \$1500.-for the Juneteenth celebration
There will be no more funds required from the city after the initial event.

OLD BUSINESS

Chicken Festival Update

Clelland stated that the 2nd annual Spring Chicken Festival, scheduled for Saturday, May 2, 2020, was canceled due to the onset of the COVID-19 pandemic and out of the safety of all participants and community members. The 3rd annual Spring Chicken Festival is scheduled for Saturday, May 1, 2021. To adhere to NCDHHS COVID-19 guidelines, mass-gathering mandates, and to avoid possible cancellation again this year, Parks and Recreation staff has explored the opportunity to offer the 2021 festival as a virtual event as opposed to an in-person event. The virtual event will feature recorded musical performances, sole-sponsorship recognition of Mountaire Farms, highlights of downtown Siler City, and more. The department envisions the event to operate approximately 2-3 hours in length. The virtual event

will be easily accessible on the Town of Siler City website (www.silercity.org), Spring Chicken Festival/Siler City Parks and Recreation Facebook pages, and through the departments YouTube channel. Staff will design specific areas within the festival website to highlight vendors, downtown merchants, and Mountaire Farms. Staff has meet with both the Parks and Recreation Advisory Committee and Mountaire Farms who support a virtual event this year out of an abundance of caution and safety of participants and community members. (Incorporation by reference as if fully set forth herein Schedule I)

Clelland shared the proposed Virtual Spring Chicken Festival Line-Up:

Opening promotional video of Siler City

Welcome and Festival Information

Proclamation

National Anthem

Message from Mountaire Farms, Inc.

Musical Entertainment #1

Vendor Marketplace Spotlight

Musical Entertainment #2

Mountaire Farms, Inc. Spotlight and Recruitment Video

Musical Entertainment #3

Closing Remarks

Festival Credits and Acknowledgements

Clelland stated following the initial memo presented in the Board of Commissioners Agenda Packet, Parks and Recreation staff and representatives from Mountaire Farms have continued discussions regarding the planning of the 3rd Annual Spring Chicken Festival. After further consideration of the minimal cost of a virtual event, it has been proposed that funds donated by Mountaire Farms could be more impactful to the community at large at this time if reallocated to improvements of Town amenities. Recreation Staff have reviewed current budget allocations for the 2021 event and are confident expenses associated with a virtual event can be supported under the current budget. The Recreation Department looks forward to potential partnerships with Mountiare Farms for future events.

The Board of Commissioners discussed the virtual festival and would like to have a in person festival and asked if the event could delay until September. The Board of Commissioners asked Staff to bring back information about the entertainment to the next meeting.

Code of Ordinance Amendment – Chapter 8 – Buildings

Meadows shared the proposed text amendments to the Town’s Code of Ordinances to the following sections of Chapter 8 (Buildings) (Incorporation by reference as if fully set forth herein Schedule J):

Article VI. Minimum Nonresidential Code.

Sec. 8-150. – Authority.

Sec. 8-151. – Investigation.

Sec. 8-152. – Complaint and Hearing.

Sec. 8-153. – Order.

Sec. 8-154. – Limitations on Orders.

Sec. 8-155. – Action by Town Board Upon Failure to Comply With Order.

Sec. 8-156. – Action by Town Board Upon Abandonment of Intent to Repair.

Prepared by Jenifer K Johnson, Town Clerk

- Sec. 8-157. – Service of Complaints and Orders.
- Sec. 8-158. – Liens.
- Sec. 8-159. – Ejectment.
- Sec. 8-160. – Violation, Civil Penalty; Fee; Remedies
- Sec. 8-161. – Supplemental Powers.
- Sec. 8-162. – Appeals.
- Sec. 8-163. – Funding.
- Sec. 8-164. – No Effect on Just Compensation for Taking by Eminent Domain
- Sec. 8-165. – Definitions.
- Sec. 8-166. – Minimum Standards
- Sec. 8-167. – Demolition of Nonresidential Buildings.
- Sec. 8-168. – Conflict with Other Provisions.
- Secs. 8-169 – 8-190. – Reserved.

Meadows shared the documents:

1. Downtown Advisory Committee presentation material
2. Downtown Siler City District map
3. Corporate Limit map
4. draft ordinance amending Chapter 8
5. final ordinance amending Chapter 8

Meadows stated that these amendments were recommended by the Downtown Advisory Committee and initiated by the Board of Commissioners on January 4, 2021.

The Board of Commissioners discussed the proposed Town Code changes and would like for them to cover the Town's Corporate Limits.

A motion to approve the Ordinance Amending Chapter 8 (BUILDINGS) of the Town Code for the Town's Corporate Limits as presented was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

NEW BUSINESS

Demolition Ordinance – 1411 Martin Luther King Jr.

Meadows stated that the subject dwelling is described as unfit for human habitation and has is in violation of the Town's Minimum Housing Ordinance. A complaint notice of hearing was served upon the owner and parties in interest on December 29, 2020 and in the Chatham New & Record on January 7, 2021. The administrative hearing was held on January 27, 2021 at City Hall and Mr. William T. Patterson III attended via phone call. The findings of fact and order were served upon the owner and parties in interest following the hearing. Town staff filed a Notice of Lis Pendens with the Chatham County Clerk of Superior Court, the owner, parties in interest, and in the Chatham News & Record following the hearing. (Incorporation by reference as if fully set forth herein Schedule K)

Meadows shared the following:

1. Photo
2. Aerial Photo
3. Complaint Notice of Hearing

4. Findings of Fact and Order
5. Notice of Lis Pendens
6. Demolition Ordinance
7. Bid tabulation sheet
8. List of asbestos removal contractors

A motion to approve the demolition ordinance for 1411 Martin Luther King Jr. Boulevard was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

A motion to select KBS Earthworks, Inc. as the demolition contractor for 1411 Martin Luther King Jr. Boulevard and award the bid for \$5800.00 was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

A motion to authorize the Town Manager to contract with the low bid asbestos removal contractor if asbestos is identified during the asbestos survey was made by Commissioner Fadely, seconded by Commissioner Siler and unanimously approved.

Active Ordinance Program

Meadows stated that the Town's ordinance enforcement program is currently working under the following priorities (Incorporation by reference as if fully set forth herein Schedule L):

1. Inspect and process all complaints
2. Proactively inspect and process the following violations:
 - a. outdoor public health nuisances
 - b. abandoned, nuisance, and junked motor vehicles on private property
 - c. minimum housing
 - d. trees, shrubs, and signs within sight distance
 - e. assigned house number to be posted
3. Proactively inspect along major thoroughfares and then local streets

Meadows stated recently, the Town has received a number of complaints regarding motor vehicles being parked on grass/dirt and more than 4 motor vehicles located in the front yards of single family and two-family residential dwellings.

The Board of Commissioner discussed the ordinance enforcement program, and the consensus of the Board of Commissioners was to move forward to proactively enforce the motor vehicles being parked on grass/dirt and more than 4 motor vehicles located in the front yards of single family and two-family residential dwellings.

Withdraw from Dedication- Portion of Brooks Alley

Meadows stated that First Wesleyan Church of 311 E. 6th St. is seeking to withdraw from dedication a portion of Brooks Alley. 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 (Incorporation by reference as if fully set forth herein Schedule M):

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 Brooks Alley 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. The subject right-of-way has been used as a private driveway to access the properties at 311 E. 6th St. and 319 E. 6th St. as far back as 1997 per aerial photography.

A motion to approve the resolution to withdraw from dedication a portion of Brooks Alley was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

MANAGER'S REPORT

Lynch shared the following with the Board of Commissioners:

- Budget Workshop on March 11
- City Hall Building Renovation Timeline
- During construction meetings will be held at the Library

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

Commissioner Fadely asked if Cottage Street could be cleaned of dirt.
Commissioner Fadely asked if someone would help the Clerk of Courts office with the Jury Pool review.
Commissioner Boone stated that she would help.
Commissioner Siler asked Donald Matthews to come forward and share information about the Black History mural and Juneteenth Celebration.

CLOSED SESSION

A motion to go into closed session § 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract at 8:10pm was made by Commissioner Haiges, seconded by Commissioner Siler and unanimously approved.

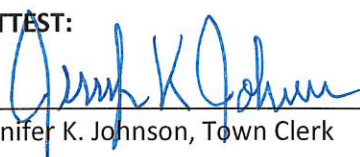
A motion to come out of closed session at 8:32pm was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:33pm.


Cindy B. Bray, Mayor Pro Tempore

ATTEST:


Jenifer K. Johnson, Town Clerk

Prepared by Jenifer K Johnson, Town Clerk

