

**TOWN OF SILER CITY**

The Siler City Board of Commissioners met in Regular Session on **Monday, April 2, 2018** at 7:00pm in City Hall Courtroom with Mayor Grimes presiding. Mayor Pro Tem Cheek gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Siler recited the Town of Siler City Mission Statement and Commissioner Bray recited the Town of Siler City Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Larry Cheek, Mike Constantino, Lewis Fadely, John Grimes, and Tony Siler

**ELECTED TOWN OFFICIALS ABSENT:** Cindy Bray, Bill Haiges, and Thomas "Chip" Price

**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, Building Administrator Charles McLaurin, and Town Clerk Jenifer Johnson.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

*A motion to approve the agenda as presented was made by Commissioner Fadely, seconded by Mayor Pro Tem Cheek and unanimously approved.*

**CONSENT**

*A motion to approve the consent agenda which includes the CAM Waterline Contract (Incorporation by reference as if fully set forth herein Schedule A) and the Chatham County Parks and Recreation MOU (Incorporation by reference as if fully set forth herein Schedule B) was made by Mayor Pro Tem Cheek, seconded by Commissioner Fadely and unanimously approved.*

**PRESENTATIONS**

**Mil Holt Festival**

Linda Lehman shared information about the Saturday, May 19, 2018 Milo Holt Festival, which will be held from 10am to 5pm. (Incorporated by reference as if fully set forth herein Schedule C).

*A motion to approve closing of 2<sup>nd</sup> Street and endorse the Milo Holt Festival was made by Commissioner Fadely, seconded by Commissioner Constantino and unanimously approved.*

**PUBLIC HEARINGS**

Town of Siler City proposes text amendments to §18 Definitions (masonry, person, stoop), §136 Definitions (itinerant merchant, mobile food unit, mobile vending unit temporary use, mobile vending vehicle, open air market, peddler, specialty market, specialty market operator, specialty market vendor, transient vendor, yard sale), §140 Accessory Uses (yard or garage sales), §147 Table of Permissible Uses (mobile vending unit, sale of agricultural products grown off site), §151 Temporary Uses (mobile vending unit, sale of agricultural products grown off site, open air market).

Mayor Grimes opened the public hearing for proposes text amendments to §18 Definitions (masonry, person, stoop), §136 Definitions (itinerant merchant, mobile food unit, mobile vending unit temporary use, mobile vending vehicle, open air market, peddler, specialty market, specialty market operator, specialty market vendor, transient vendor, yard sale), §140 Accessory Uses (yard or garage sales), §147 Table of Permissible Uses (mobile vending unit, sale of agricultural products grown off site), §151

Temporary Uses (mobile vending unit, sale of agricultural products grown off site, open air market) at 7:08pm. (Incorporated by reference as if fully set forth herein Schedule D)

Meadows stated that the proposed amendments were first discussed between a business owner and Town staff. Town staff prepared the proposed amendments following a review of other communities' ordinances and NC General Statutes. The Planning Board has reviewed draft language at several regular meetings and initiated the proposed amendment. On March 19, 2018 the Town Board held a public hearing on the proposed amendments, provided comment, and recessed the public hearing until April 2. Town staff and attorney have revised the documents per the comments from the Town Board.

Meadows shared the following documents:

1. draft ordinance amending Article 2, 10, 11
2. final ordinance amending Article 2, 10, 11
3. NCGS §66-250 - §66-259
4. photos of parking lot at Dry Dock
5. emails from other communities
6. press release from Chatham County Health Dept. and response emails
7. SCDT Committee recommendation
8. worksheet.

Meadows shared the Compatibility with existing comprehensive Land Development Plan:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Continuation of agribusiness in rural portions of the Town's ETJ, and also supports farming within the ETJ as a local source of food and a way to enhance the local economy.

Meadows shared the Planning Board recommendations from the March 15, 2018 meeting:

The text amendment is approved and consistent with the adopted land development plan and any other officially adopted plan because:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.

***A motion to recess the public hearing for the proposed text amendments to §18 Definitions (masonry, person, stoop), §136 Definitions (itinerant merchant, mobile food unit, mobile vending unit temporary use, mobile vending vehicle, open air market, peddler, specialty market, specialty market operator, specialty market vendor, transient vendor, yard sale), §140 Accessory Uses (yard or garage sales), §147 Table of Permissible Uses (mobile vending unit, sale of agricultural products grown off site), §151***

*Temporary Uses (mobile vending unit, sale of agricultural products grown off site, open air market) and reconvene on May 21, 2018 at 7:00pm was made at 7:40pm by Mayor Pro Tem Cheek, seconded by Commissioner Fadely and unanimously approved.*

Town of Siler City proposes text amendments to §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, and §185 Homeowners Associations.

Mayor Grimes opened the public hearing for the proposed text amendments to §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, §185 Homeowners Associations at 7:43pm. (Incorporated by reference as if fully set forth herein Schedule E)

Meadows stated that the proposed amendments were first discussed by the UDO Review Committee and then the Mayor and Board of Commissioners. Most recently, several residential developers encouraged the Town to consider changes to Article 13. Town staff prepared the proposed amendments following a review of other communities' ordinances and NC General Statutes. The Planning Board has reviewed draft language at several regular meetings and initiated the proposed amendment. On March 19, 2018 the Town Board held a public hearing on the proposed amendments, provided comment, and recessed the public hearing until April 2. Town staff and attorney have revised the documents per the comments from the Town Board.

Meadows shared the following documents:

1. draft ordinance amending Article 13
2. final ordinance amending Article 13
3. NCGS 160A-372
4. Boling Lane Park dimensions and cost
5. comparison chart
6. worksheet

Meadows shared the compatibility with existing comprehensive Land Development Plan:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Amend ordinances as needed to address changes in physical, social, or environmental circumstances that make existing regulations unnecessary, outdated, or obsolete.
3. Modify the development ordinances to be more user-friendly where possible.
4. Develop flexible zoning standards that accommodate mixed uses in the CBD, which will assist in the adaptive reuse of buildings.
5. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
6. Encourage provision of recreation and park land for Town residents.
7. Provide parks and recreation programs to meet the recreation and fitness of all citizens of Siler City.
8. Coordinate with county schools to look for ways to share recreation facilities and to encourage pedestrian access to schools.
9. Limit impacts of development of the environment and promote sustainability.
10. Promote cluster development with usable open space and amenities.

11. Expand the greenway system of trails for bicyclists and pedestrians, and the Town's sidewalk network, in accordance with the Town's Pedestrian Plan.
12. Implement recommendations from the Town's 2016 Natural Resource and Conservation Study.
13. Encourage preservation of sensitive environmental areas from development.

Meadows shared the Planning Board recommendations from the March 15, 2018 meeting:

The text amendment is approved and consistent with the adopted land development plan and any other officially adopted plan because:

1. Amend ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances.
2. Modify the development ordinances to be more user-friendly where possible.
3. Explore the option of allowing developer fees-in-lieu for park facilities and other public facilities.
4. Encourage provision of recreation and park land for Town residents.
5. Provide parks and recreation programs to meet the recreation and fitness of all citizens of Siler City.
6. Limit impacts of development of the environment and promote sustainability.
7. Expand the greenway system of trails for bicyclists and pedestrians, and the Town's sidewalk network, in accordance with the Town's Pedestrian Plan.

Mayor Grimes closed the public hearing at 7:47pm.

***A motion that the text amendments to §180 Miniparks Required (payment in lieu), §181 Miniparks: Purpose and Standards, §182 Usable Open Space (payment in lieu), §184 Dedication of Open Space, §185 Homeowners Associations is approved and consistent with the adopted land development plan and any other officially adopted plan because amending ordinances as needed to accommodate uses or situations that arise and are not clearly covered by existing ordinances, modify the development ordinances to be more user-friendly where possible, explore the option of allowing developer fees-in-lieu for park facilities and other public facilities and the action taken is reasonable in the public interest because encouraging provision of recreation and park land for Town residents, provide parks and recreation programs to meet the recreation and fitness of all citizens of Siler City, limit impacts of development of the environment and promote sustainability, expand the greenway system of trails for bicyclists and pedestrians, and the Town's sidewalk network, in accordance with the Town's Pedestrian Plan was made by Commissioner Fadely, seconded by Mayor Pro Tem Cheek and unanimously approved.***

#### OLD BUSINESS

none

#### NEW BUSINESS

##### Leave Policy

Darden stated it is the responsibility of Human Resources to review and revise policies within the Town of Siler City Employee Handbook as necessary. Our current Holidays and Leaves of Absence Policy found in Article VII of the Employee Handbook needs to be revised in order to better suit our current workplace environment and in some cases to be competitive with our neighboring markets. (Incorporated by reference as if fully set forth herein Schedule F)

Darden reviewed the proposed policy revision has the following major changes:

- 1) Vacation accrual has been revised to match current and surrounding local government markets.
- 2) Personal Leave is a new type of leave. It is designed solely for exempt employees. It is designed to allow those in exempt status to offset a portion of the hours they work over 40. It is not designed to be an hour for hour type of compensation. The maximum is 40 hours annually.
- 3) Bereavement Leave has been revised to allow three days leave for the death of an immediate family member at no charge to the employee's leave balance.
- 4) Voluntary Shared Leave is a new leave type for Siler City. It is offered in most other local agencies and in all state agencies. This leave allows coworkers to donate vacation leave to each other if the situation arises that someone is out of all types of leave and they or an immediate family member has a medical situation that will require them to be out of work for an extended amount of time. This will allow the employee to avoid a leave without pay situation in a time which they could really benefit from a full paycheck.
- 5) Emergency Volunteer Service Leave is also a new policy for Siler City; however, we've dealt with this situation on a regular basis and decided it was time to address it formally.
- 6) Administrative Leave is new as well. It is intended to cover situations which can't be anticipated and to give the Town Manager the authority to act in an emergency.
- 7) Compensatory Time is also new. The Town has found themselves in the situation where our compensatory time liability is much higher than it should be. This policy is one of our efforts to help reduce this growing liability.

Darden stated that the current Holiday and Leaves of Absence policy includes FMLA (Family Medical Leave Act). A revised FMLA policy was proposed and approved by the Board in November 2016 and therefore was not included in this proposed revision; however when the entire Employee Handbook is revised and presented in whole, FMLA will become a part of the proposed revised policy.

Darden stated it was her recommendation to change the policy name from Holidays and Leaves of Absence to Leave Policy to more accurately encompass the scope of the revised policy.

The consensus of the Board of Commissioners was to present the plan to the department heads and bring it back to the next meeting.

#### Demolition Ordinance

McLaurin asked them to approve a demolition ordinance for the house located at 701 West Third Street directing us to proceed with demolition of that house and seeding of the lot. Then we will ask William Morgan our Town Attorney to place a lien on the property for the expenses incurred in this process. (Incorporated by reference as if fully set forth herein Schedule G)

McLaurin stated that we have conducted the complaint notice to owners, conducted a notice of hearing, conducted the findings of fact and are ready to hire a demolition contractor to demolish the house. The owners have not made any effort to remove the structure. I am attaching three bids from demolition contractors for the board to approve one of them to demolish and remove the house.

McLaurin shared the three bids received:

- 1-B.E. York and Son for \$ 14,950
- 2-Shannon York Grading for \$ 14,985
- 3- B & S Farms for \$ 21,750

McLaurin stated that these bids include the cost of asbestos removal and disposal, demolition of the house and seeding the lot upon completion.

McLaurin stated since B. E. York and Son was the low bidder I would ask that they be awarded the demolition contract. They were the contractor that removed the house at 906 North Chatham Avenue last year and we were pleased with their work.

***A motion to approve the demolition ordinance for 701 West Third Street and award the bid to BE York and Son for \$14,950 was made by Commissioner Fadely, seconded by Commissioner Constantino and unanimously approved.***

#### MANAGER'S REPORT

Thompson shared the following with the Board of Commissioners:

- Rotary is having a reverse raffle
- Joseph Keel received a Parks and Recreation certification
- Lights have been replaced at all the facilities
- Received two AIA grants for \$95,000 and \$150,000
- Memorial Drive is open

#### TOWN ATTORNEY INFORMATION

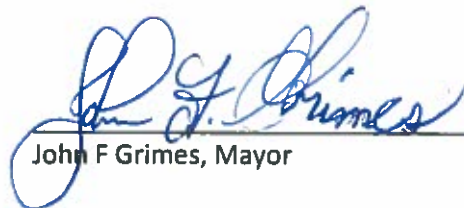
none

#### GOVERNING BODY COMMENTS


Commissioner Siler stated that there is a pile of grass clippings on Raleigh Street behind Fidelity Bank.

#### ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:25pm.

  
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John F Grimes, Mayor

ATTEST:

  
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Jenifer K Johnson, Town Clerk

