

**TOWN OF SILER CITY**

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

**ELECTED TOWN OFFICIALS PRESENT:** Larry Cheek, Mike Constantino, Lewis Fadely, John Grimes, Bill Haiges, Thomas "Chip" Price, and Tony Siler

**ELECTED TOWN OFFICIALS ABSENT:** Cindy Bray

**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, and Town Clerk Jenifer Johnson.

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA**

Thompson asked to add the Audit Contract with Dixon, Hughes, Goodman (Schedule J) under consent.

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

**CONSENT**

*A motion to approve the consent agenda which includes the March 29, 2018 Budget Workshop Minutes (Incorporation by reference as if fully set forth herein Schedule A), April 2, 2018 Minutes (Incorporation by reference as if fully set forth herein Schedule B), Resolution Approving Local Water Supply Plan (Incorporation by reference as if fully set forth herein Schedule C), Contract for Airport Planning and Engineering Services (Incorporation by reference as if fully set forth herein Schedule D) Audit Contract with Dixon, Hughes, Goodman (Incorporation by reference as if fully set forth herein Schedule J) was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

**PRESENTATIONS**

**Saturday's in Siler**

Joan Underwood shared the following about the Downtown Events hosted by the Yellow Flag Group, NC Arts Incubator, and Siler City Music Series (Incorporated by reference as if fully set forth herein Schedule E):

May 19	Milo Holt Festival	We have no involvement in setup and planning this event
May 19	Flapjacks and Jam - Fundraiser for NC Arts Incubator – 6 till 9 – Music by Will McAnless	Will need barricades to remain on Second Street after Milo Holt Festival
June 16	Saturdays in Siler – 4pm till 9pm Music by Earth Spirit Taiko Drum Group	Will need barricades
July 21	Saturdays in Siler – 4pm till 9pm Music TBD	Will need barricades
August 18	Terry McInturff Koo Day Tah – 3pm till midnight –	Will need barricades

	Music by Cory Leutcen and Traveling Blues Band and 2 others TBD	
September 15	Hispanic Heritage Festival	We have no involvement in setup and planning this event
October 20	Saturdays in Siler – 4pm till 9pm – Music TBD – Arts Festival in open area behind Incubator	Will need barricades
November 17	Saturdays in Siler – 4pm till 9pm – Music Inside – Christmas Themed	No barricades

*A motion to approve the closure on 2<sup>nd</sup> Street from Chatham Avenue to the Alley for the dates schedule for the Saturday's in Siler was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

#### Siler City Downtown (SCDT) Committee Report

Meadows stated at the September 11, 2017 Planning Board meeting, Jackie Adams asked the Board for their support in making downtown more welcoming (attracting and retaining customers and businesses). The Board was very supportive of this idea and asked that she propose this idea to other property owners. Jackie Adams composed a letter and the Planning Director emailed the letter to downtown property owners. Jackie Adams formed a committee of property owners and others interested persons. The committee established a Facebook page and has met more than 13 times since September 2017. The committee has discussed, but not limited to, the following topics: identify a downtown boundary, preservation, abandoned buildings, unsafe buildings, safety, aesthetics, window coverings, Appearance Review Committee recommendations, uses allowed within downtown (outdoor storage, warehouse, peddlers, mobile vendors, open air markets, residential), window signage, UDO Review Committee recommendations, on-street parking limitations, municipal parking lots, driving trucks on one-way streets, garbage, and bury overhead utility lines. (Incorporated by reference as if fully set forth herein Schedule F)

Meadows stated some of the persons, but not limited to, that have attended the meetings: Jackie Adams, Zoann Adams, JR Butler, Nick Dakas, Cindy Dameron, Denis de St. Aubin Jr, Denis de St. Aubin, Tam de St. Aubin, Nita Dukes, Wren Farrar, Donna Johnson, Linda Person, Roger Person, Daniel Routh, Anita Snavely, Richard Szary, Sue Szary, Joan Underwood, Bronwyn Watson, and April Weaver. The committee also invited town staff and the following attended at least one meeting: Terry Green, Joseph Keel, Charlie McLaurin, Jack Meadows, Bryan Thompson, and Gary Tyson.

Meadows stated the committee received public comment on their draft recommendation report on February 6, 2018 @ 11:30a – 1:00p and 5:30p – 7:00p and via email to chathamaci@gmail.com. Jackie Adams presented to the Planning Board on March 15, 2018. Attached documents:

1. September 11, 2017 planning board meeting minutes
2. Email invite dated September 20, 2017
3. SCDT Report dated February 28, 2018
4. SCDT Presentation
5. Email from NC Arts Incubator Director dated February 26, 2018

The Planning Board recommended approval of the 19 page SCDT report dated February 28, 2017 as submitted at their April 9, 2018 meeting.

The Jackie Adams presented the plan to the Board of Commissioners. The Board of Commissioners asked Thompson to meet with Adams and discuss the plan and the Downtown Committee.

#### OLD BUSINESS

##### Loves Creek Greenway

Meadows stated that portions of the Loves Creek Greenway are located within the floodway. A no-rise study/certification was completed by Wetherill Engineering prior to the development of trail. The no-rise study and post analysis by McGill determined that the existing (pre-construction) stream locations are different than what is published in the adopted FEMA flood maps. Therefore per FEMA regulations, a letter of map revision (LOMR) is required. (Incorporated by reference as if fully set forth herein Schedule G) NCDOT will fund 100% of the total cost (\$15,250.12) on a reimbursement basis:

1. McGill agreement to complete and submit LOMR application = \$7,000.12
2. FEMA LOMR application fee = \$8,250

Meadows shared the FEMA definition of LOMR:

A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report. All requests for changes to effective maps, other than those initiated by FEMA, must be made in writing by the Chief Executive Officer (CEO) of the community or an official designated by the CEO. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

Meadows shared the definitions from Appendix K – Flood Damage Prevention Ordinance:

- (a) "Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the FEMA, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated. (see also DFIRM)  
"Flood Insurance Study (FIS)" means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.
- (b) "Floodway" means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- (c) "Special Flood Hazard Area (SFHA)" means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in K-3(b) of this ordinance.

***A motion to amend the McGill contract for Loves Creek Greenway Project for LOMR in the amount of \$7,000.12 was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.***

#### NEW BUSINESS

##### NCDOT Prioritization 5.0 Projects

Meadows stated that NCDOT released its quantitative scores on all Prioritization 5.0 projects on April 3, 2018. These scores make up 70% of the score for the Regional Impact category, and 50% for the Division Needs category. NCDOT also updated the cost estimates for a number of the projects. An updated list of projects for Chatham County is attached, including the NCDOT quantitative scores. Projects that are selected for funding will fall into the 2020-2029 (Incorporated by reference as if fully set forth herein Schedule H)

Meadows stated that the Triangle Area Rural Planning Organization (TARPO), of which Siler City is a member, has asked each of its member jurisdictions to work with the other jurisdictions within that county to develop a unified countywide list of transportation priorities. The list includes projects from all modes of transportation (highway, bicycle, pedestrian, aviation, rail, transit, and ferry). Additional unranked projects may also be considered, subject to limitations on the overall number of projects TARPO is permitted to submit to NCDOT, but only the top ten (10) projects have to be ranked.

Meadows stated that Staff from the Town of Siler City, Town of Pittsboro, Chatham County, and TARPO met on April 5 and used the quantitative scores to identify the top fifteen (15) priorities for all of Chatham County. The Chatham County Board of Commissioners and Town of Pittsboro Board of Commissioners will be considering the list during their upcoming meetings. These prioritized rankings are due to TARPO by May 15, 2018.

***A motion to approve the top ten projects as presented was made by Commissioner Fadely, seconded by Commissioner Price and unanimously.***

##### Request for Partial Reduction and Abandonment of East Third Street

Meadows stated that Mountaire Farms, Inc. is requesting the right-of-way of E. 3<sup>rd</sup> St. be reduced and maintenance be abandoned from 100' to 60' (that adjoins property) pursuant to NC Gen. Stat. §160A-299. (Incorporated by reference as if fully set forth herein Schedule I)

Meadows shared the following documents:

1. Letter from Rose Law Firm (April 30, 2018) requesting partial reduction and abandonment of E. 3<sup>rd</sup> St.
2. Resolution of Intent to reduce and abandon maintenance on the right-of-way of a portion of E. 3<sup>rd</sup> St.
3. Proposed right-of-way reduction plat
4. Underground temporary blanket utility easement
5. Email from NCDOT regarding the right-of-way reduction request
6. Checklist of procedure for reducing the right-of-way of a State maintained road

Meadows stated that §160A-299 requires that the closed portion of the street be split between adjacent property owners at the centerline (unlike §136-96 which is first come take all).

*A motion to adopt a resolution declaring the Town's intent to reduce a segment of the right-of-way of E. 3<sup>rd</sup> Street from 100 foot to 60 foot and set a public hearing date of June 18, 2018 was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously.*

LDP and Zoning Districts Discussion

Thompson stated that Commissioner Haiges has requested the discussion of the Land Development Plan and Zoning Districts be added to the agenda. (Incorporated by reference as if fully set forth herein Schedule J) Commissioner Haiges shared the following:

Haiges stated that he met with Jack Meadows about the LDP and Zoning within the South Chatham Avenue and railroad corridor between West Elk St. and Chestnut St. The LDP we recently adopted recommends more mixed use, conservation, and low density residential development in that area. In that area today we have a mix of Light Industrial, Heavy Industrial, Central Commercial, Highway Commercial, Office-Institutional, and Residential zones. With the exception of the Residential zones, the remainder of the existing zones don't comply with the adopted LDP. The most appropriate zoning would be General Commercial and Residential. We don't currently have a General Commercial zoning district. I believe that a General Commercial zoning district would be very beneficial in that area, as well as address some issues with zones currently showing as Central Commercial (ex. Piggly Wiggly and Maxway).

Haiges stated that there is some urgency on this as I'm aware of some salvage yards that may be coming to the planning process soon and would conflict with the LDP. As such, I would like to ask for a moratorium on new permitting in HI, LI and HC and CC zoning in the referenced areas until we are able to draft the appropriate language to create and implement the General Commercial zoning.

The Board of Commissioners discussed the Central Commercial District. Meadows stated setting the definition for general district would be a lengthy process. Morgan stated the Board can do a moratorium. Morgan stated he would prepare a document which would set the public hearing date for the Thursday, May 17, 2018 Budget Workshop.

**MANAGER'S REPORT**

none

**TOWN ATTORNEY INFORMATION**

none

**GOVERNING BODY COMMENTS**

**CLOSED SESSIONS**

*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 8:00 pm was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

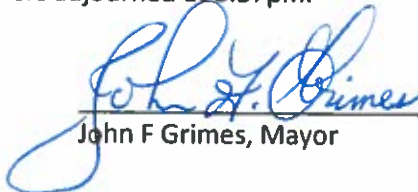
*A motion to come out of Closed Session at 8:23 pm was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.*

*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 at 8:24 pm was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

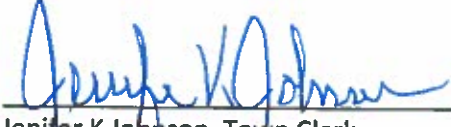
*A motion to come out of Closed Session at 8:30 pm was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.*

**ADJOURNMENT**

With no further business the Board of Commissioners adjourned at 8:37pm.

  
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John F Grimes, Mayor

**ATTEST:**

  
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Jenifer K Johnson, Town Clerk

