

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, August 17, 2020** at 7:00pm in City Hall Courtroom with Mayor Pro Tem Bray presiding. Commissioner Siler gave the invocation with the recitation of the Pledge of Allegiance following. Mayor Pro Tem 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, Curtis Brown, Lewis Fadely, Thomas "Chip" Price, and Tony Siler, Zoom: Bill Haiges

ELECTED TOWN OFFICIALS ABSENT: John Grimes

TOWN STAFF PRESENT: Town Manager Roy Lynch, Attorney William Morgan, Finance Director Tina Stroupe, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, Police Major James Underwood, 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 Commissioner Siler and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes the August 3, 2020 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Resolution CDBG-NR Application Minutes (Incorporation by reference as if fully set forth herein Schedule B), Embers Contract for 2021 Spring Chicken Festival (Incorporation by reference as if fully set forth herein Schedule C), Dean Johnson Retirement Resolution (Incorporation by reference as if fully set forth herein Schedule D) was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved.

PUBLIC COMMENT

none

PRESENTATIONS

none

PUBLIC HEARINGS

Town of Siler City proposes text amendments to §23 Appointment and Terms of Planning Board Members of the UDO.

Mayor Pro Tem Bray opened the public hearing for the Town of Siler City proposes text amendments to §23 Appointment and Terms of Planning Board Members of the UDO at 7:03pm. Incorporation by reference as if fully set forth herein Schedule E.

Meadows shared the following documents:

1. draft ordinance amending Article 3
2. final ordinance amending Article 3
3. worksheet

Meadows stated that the Planning Board initiated the proposed amendments at the July 2020 meeting.

Meadows shared the compatibility with the 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.

Meadows shared the Planning Board recommendation from the August 10, 2020 meeting:

The amendments are approved and consistent with the adopted LDP and any other officially adopted plan because the LDP recommends:

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.

Mayor Pro Tem Bray closed the public hearing at 7:14pm.

Meadows stated that the text amendment to §23 Appointment and Terms of Planning Board Members of the UDO will be added to the agenda on September 8, 2020 agenda.

OLD BUSINESS

Brownfield Redevelopment Program

Meadows shared the following background:

On July 2014, Darin McClure (President of Mid-Atlantic Associates) presented to the Town Board regarding EPA Brownfields Assessment grants. In October 2014, the Town executed a master services agreement with Mid-Atlantic Associates, Inc. to provide environmental engineering and consulting services for EPA Brownfields projects. In March of 2018, the Town was awarded the \$300,000 Brownfield Assessment Grant. Incorporation by reference as if fully set forth herein Schedule F.

Meadows stated that a brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land. Brownfield Assessment Grants are for community-wide proposals. The grant is for \$300,000. The grant provides funds to conduct community outreach/involvement, site inventory and prioritization, Phase 1 and Phase II Environmental Site Assessments, and site planning related to brownfield sites. Town staff believes working to build a sustainable Brownfields program can further stimulate economic development in our community. Staff views proactive engagement of Brownfield assessment and possible remediation as one fundamental tool available to enhance and catalyze development investment of prime properties within our community.

Meadows stated during the July 30, 2020 Brownfield Steering Committee meeting, the Committee recommended the following:

1. Town make an EPA Brownfield Assessment Grant application in 2020; and
2. Town enter into a new contract with Mid-Atlantic Associates to provide environmental engineering and consulting services for EPA Brownfields projects.

The consensus of the Board of Commissioners was to move forward with the Brownfield application and use Mid Atlantic Associates. Staff will bring a contract back on September 8, 2020.

Street Closing Petition – E. 3rd St. – TIA Review and Board Direction

Meadows stated that Mountaire Farms, Inc. requested the following street closings pursuant to NC Gen. Stat. §160A-299: Portion of E. 3rd St., Portion of E. 5th St., and all of Johnson Ave. Incorporation by reference as if fully set forth herein Schedule F.

Meadows shared the following documents:

1. Time Line
2. Next Steps
3. G.S. §160A-299
4. Tax maps of project area
5. Final Exhibit For: Right-of-Way Closure E. 3rd St.
6. Final Exhibit For: Right-of-Way Closure E. 5th St. & Johnson Ave.
7. Concept Drawing (interim – prior to US 64 access management project)
8. Resolution of Intent to Close a Portion of E. 3rd St.
9. Resolution of Intent to Close a Portion of E. 5th St.
10. Resolution of Intent to Close Johnson Ave.

Meadows noted 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) and the Town of Siler City water and sewer utilities are located within the subject rights-of-way.

The Board of Commissioners discussed the street closure request including the impact on existing business, public input, public hearing, resolutions, and contract to construct, impact on Raleigh Street and Jordan Matthews High School traffic, location of utilities.

The consensus of the Board of Commissioners was to wait until the Economic Impact Study and Master TIA is complete, and a two public input sessions are held.

Mark Reif with Mountaire Farms, Inc. stated due to the governors restricts for room capacity of 10 people the public input sessions would need to be by zoom. The Board of Commissioners discussed the need for in person meetings.

Reif stated that they were concerned about the timing of the economic impact. Sam Rauf with Chatham County Economic Development stated by working with town staff they hope to get the timing down.

NEW BUSINESS

COVID-19 (coronavirus) Update – Utility Connections and Fees

Lynch stated as brought to the Board's attention at the August 3rd meeting, Governor Cooper's Executive Order 142 expired on July 29th and the Town is no longer mandated to suspend utility disconnections or assess late fees. Incorporation by reference as if fully set forth herein Schedule H.

Stroupe stated that the Town is required to extend a 6-month repayment plan to our customers who have past due balances. Please see below for past due account information as of 8/5/2020. To assist customers in bringing their accounts to current and avoid interruption in services, customers will not be

assessed any late fees for past due balances incurred during the period of the Executive Order and Town staff is recommending a 6-month repayment plan of the balances reflected below. Please note, the repayment plans would only cover any billings and past due balances occurring during the time period of the Executive Order. Any late payments of billings for services after August 1st will still assess late fees and be eligible for disconnection. Any missed payments of the repayment agreement will nullify the agreement and those accounts will be eligible for disconnection.

Stroupe stated that Finance staff has revised our Payment Agreement Form and will begin taking these agreements immediately. No disconnections will take place until September 9th for the August billing. This gives residents sufficient time to complete a payment agreement, if necessary.

Last Payment	Number of Accounts	Amount Past Due	% of Total Past Due	Number of Times on Cut off List
No Payment	12	\$4,377.56	6%	2
December 2019	1	\$496.18	0.5%	2
January 2020	2	\$743.65	1%	22
February 2020	6	\$2,287.85	3%	34
March 2020	58	\$22,629.87	29%	325
April 2020	22	\$8,706.63	11%	42
May 2020	35	\$8,740.30	11%	54
June 2020	117	\$14,805.69	19%	13
July 2020	91	\$12,726.29	16%	68
August 2020	16	\$2,992.77	3.5%	107
Totals as of 8.5.2020	360	\$78,506.79		669
Totals as of 7.5.2020	337	\$72,039.36		

The Board of Commissioners discussed the past due bills. The consensus of the Board of Commissioners was to move forward with a six month payments plan for those past due on utility accounts.

MidState Development Center (Formerly CAM 2) Update

Lynch stated that the Town has been made aware of a new opportunity to partner with a local business to foster positive development within our business community. Alyssa Byrd of Chatham EDC advised us that, due to growth, Brookwood Farms is expanding from their current location off of Alston Bridge Road to build a new distribution center off US-64 and will be the first tenant of the MidState Development Center. Incorporation by reference as if fully set forth herein Schedule I.

Lynch stated that this expansion will bring a number of new jobs and about \$3.7 million in investment into Siler City. As part of the project, a road extension, with an estimated cost of \$1,000,330.12 will be required from US-64 to provide access for both Brookwood Farms and future developments of the MidState Development Center.

Lynch stated that the Town has spoken with multiple organizations to help source funding for the road extension, and Nancy Hannah contacted the Triangle J Council of Governments about help in submitting an application for an EDA grant that could provide funding. The EDA grant requires a 50% match of

Town funds, and so we also contacted Golden LEAF, who expressed an interest in the potential to partner with EDA, and we will continue to explore other sources of funding as well.

Lynch stated that the Town will act as a pass-through entity, the grants will be managed by Town grants and accounting personnel. The developer of the site has agreed to cover the remaining match expenses of the grant.

Lynch stated that there currently is no water or sewer that is extended to the site, and EDC and the Town are continuing to search for opportunities to make that extension happen. Water extension down from Stockyard Road is estimated to cost \$422,616.16, and the extension of sewer is estimated to cost \$558,820.15. Brookwood can temporarily use well and septic and later connect in once these extensions are funded and completed.

Lynch stated that the Town and EDC are proud to have a family-owned and operated business such as Brookwood have the confidence to expand in Siler City, and we look forward to continuing to work together to source funds to move forward on site preparations for both Brookwood Farms and other future tenants.

Sam Rauf with Chatham Economic Development thanked the Board of Commissioners and shared his excitement for the project.

NEW BUSINESS

none

MANAGER'S REPORT

Lynch shared the following with the Board of Commissioners:
Staff is still looking at alternative locations during the City Hall renovation.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

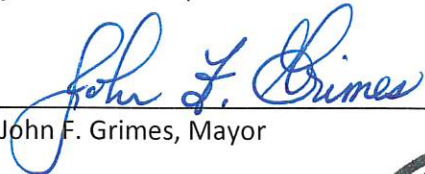
Jury Commission Discussion

Commissioner Fadely stated the Clerk of Court stated that Larry Cheek has been serving on the Jury Commission for Chatham County to review resident names and share information about the individual.

Mayor Pro Tem Bray asked how many applications for the District 2 seat, have been received. Lynch stated that the Town Clerk has received three.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:28pm.



John F. Grimes, Mayor

ATTEST:


Jenifer K Johnson, Town Clerk

