

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, August 19, 2019** 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 Constantino recited the Town of Siler City Mission Statement and Commissioner Fadely recited the Town of Siler City Vision Statement.

Two Interpreters were available for Spanish Interpretation at the meeting and no one signed up for the service.

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: Interim Town Manager Roy Lynch, Attorney William Morgan, Planning Director Jack Meadows, Human Resources Director Nancy Darden, Police Chief Mike Wagner, Park and Recreation Director Joseph Keel, Public Works Director Chris McCorquodale, and Town Clerk Jenifer Johnson.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Lynch requested the addition of Appointment of Garrett Frank to the Planning Board and Board of Adjustments and Dixon Hughes Goodman Audit Agreement under consent and § 143-318.11 (a)(6) closed session 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.

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

CONSENT

A motion to approve the consent agenda which includes, August 5, 2019 Minutes (Incorporation by reference as if fully set forth herein Schedule A), NCDOT ADA Construction Agreement (Incorporation by reference as if fully set forth herein Schedule B), NC Emergency Management Agreement – Tropical Storm Michael (Incorporation by reference as if fully set forth herein Schedule C), CDBG-ED Wastewater Treatment Plant Grant Agreement (Incorporation by reference as if fully set forth herein Schedule D), Appointment of Garrett Frank to the Planning Board and Board of Adjustments as a City Limit Member Alternate (Incorporation by reference as if fully set forth herein Schedule K), Dixon Hughes Goodman Audit Agreement (Incorporation by reference as if fully set forth herein Schedule L) was made by Commissioner Haiges, seconded by Mayor Pro Tem Cheek and unanimously approved.

PUBLIC COMMENT

none

PRESENTATIONS

None

PUBLIC HEARING

Request Street Closing – Brookwood Avenue/Drive

Mayor Grimes opened the public hearing for Brookwood Farms, Inc. retained W. Ben Atwater, Jr. to petition the Town of Siler City to close Brookwood Avenue/Drive pursuant to NC Gen. Stat. §160A-299, the subject street is adjacent to property owned by Brookwood Farms at 1015 and 909 Alston Bridge Road at 7:05pm. (Incorporation by reference as if fully set forth herein Schedule E)

Meadows stated on July 15, 2019, the Town Board adopted a resolution of intent to close Brookwood Avenue/Drive. Per §160A-299 the following items were completed by Town Staff:

1. Published the resolution once a week for 4 consecutive weeks prior to the public hearing;
2. Sent the resolution via certified mail to all owners of property adjoining the street as shown on the county tax records; and
3. Prominently, posted a notice of public hearing in 2 places along the street.

Meadows stated if the Town Board adopts the order, then staff will require the following next steps:

1. Submit order to NCDOT;
2. Wait for NCDOT Board of Transportation to abandon maintenance;
3. Request that the applicant record the order in the Office of the Register of Deeds; and
4. Request the applicant record new plat, deed, and easements.

Meadows shared the following documents:

1. Letter from W. Ben Atwater Jr. (April 12, 2019)
2. Aerial Photos
3. Plat Book: 11-21, 23-59, 96-455
4. Deed Book 1834, Page 100
5. Deed Book 2053, Page 146
6. Brookwood Farms expansion project sketch
7. Resolution of Intent to close Brookwood Avenue/Drive
8. Adjoining property owner letter
9. Order permanently closing Brookwood Avenue/Drive

Meadows noted:

1. §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).
2. It appears that a Town water line may be located within the right-of-way of Brookwood Avenue/Drive

Mayor Grimes closed the public hearing at 7:09pm.

A motion to adopt the order permanently close Brookwood Avenue/Drive was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

OLD BUSINESS

Pay for Performance for 2020-2021

Darden stated that in 2017, the Board of Commissioners approved a Pay for Performance Plan that is directly related to an employee's annual Performance Evaluation score and the criteria upon which

salary increases would be earned. It was first effective for the 2017-2018 fiscal year. (Incorporation by reference as if fully set forth herein Schedule F)

Darden stated that the criteria remained the same for 2018-2019 and 2019-2020. The currently approved criteria is as follows:

Needs Improvement	0% increase
Meets Expectations	2% increase
Exceeds Expectations	4% increase
Outstanding	6% increase

The Board of Commissioners discussed the proposed percentages and the evaluation process. The Board of Commissioners requested that Staff set a special meeting to discuss the evaluation process.

The consensus of the Board of Commissioners was to approve the percentages as presented for the 2020-2021 Budget Year and set a special meeting to discuss the evaluation process.

Tobacco Ordinance

Lynch stated on April 4, 2016 the Town of Siler City Board of Commissioners approved the Chatham County Tobacco Policy for the Town property located at 500 North Second Avenue (Wren Memorial Library). (Incorporation by reference as if fully set forth herein Schedule G)

Lynch stated on April 15, 2019 the Board of Commissioners directed Staff to bring tobacco policies for Town property.

Lynch stated on August 5, 2019 the Town of Siler City Board of Commissioners directed Staff to bring a draft ordinance similar to the Chatham County policy for tobacco use on Town property.

Lynch shared the following documents:

Siler City Existing Smoking in Municipal Buildings and Vehicles Ordinance – Adopted September 28, 1993
Sample Tobacco Free Sign
Siler City Draft Tobacco Ordinance

The Board of Commissioners discussed the proposed ordinance.

The consensus of the Board of Commissioners was to move forward with the ordinance and place it on consent on the next meeting.

Grass Mowing Contract

Meadows shared the request for proposals for grass mowing services was approved by the Town Board on May 16, 2019. The proposals are for grass mowing service on privately owned lots with overgrown grass and weeds that are non-compliance with the Code of Ordinances. (Incorporation by reference as if fully set forth herein Schedule H)

Meadows stated that the request for proposal was advertised in the Chatham News on June 13 and June 27, 2019. Town staff submitted emails to the large email list on June 12, June 21, July 1, and July 31, 2019. Town staff direct solicited ~20 grass mowing contractors. We received 3 proposals (see attached and summary below).

Company	Carolina Outdoor Works	Drewery Mowing	Green Revival Landscaping
Contact	Joshua Graham	Phillip Drewery	Phil Marsh
Address	3019 Wow Road, Randleman	6305 Cotton Road, Snow Camp	1204 Greensboro Avenue, Siler City
8"-12"	\$ 180	\$ 35	\$ 160
12"-24"	\$ 360	\$ 55	\$ 200
>24"	\$ 495	\$ 70	\$ 240
Hourly Rate	\$ 120	\$ 65	\$ 200

Meadows stated that most communities that have nuisance abatement programs invoice the property owner for the cost of the contractor plus an administrative fee. Staff has completed some research that the Board may consider (see attached).

A motion to approve select Green Revival Landscaping as the contractor for grass mowing service was made by Commissioner Fadely, seconded by Mayor Pro Tem Cheek and unanimously approved.

A motion to amend the 2019-2020 Fee Schedule for public nuisance abatement fee was made by Commissioner Fadely, seconded by Commissioner Haiges and unanimously approved.

NEW BUSINESS

Travel Policy

Darden stated that current Travel Policy was approved and adopted by the Siler City Board of Commissioners on February 1, 1988. In addition to needed updates, the topic of take-home vehicles is not addressed in the current policy. (Incorporation by reference as if fully set forth herein Schedule I) Darden stated that Staff is looking for guidance from the Board of Commissioners.

Darden shared the following information:

- 1) The NC League of Municipalities – IRFFNC/Property & Liability Program recommendation. (attached)
- 2) The NC League of Municipalities Workers Compensation Underwriter’s explanation regarding coverage of employees dropping kids off at school. (attached)
- 3) Additional expenses associated with vehicles driven home without “business necessity” (gas, wear and tear, labor for maintenance).

The Board of Commissioners discussed employees and children in town vehicles.

The consensus of the Board of Commissioners was to set a special meeting to discuss the travel policy.

MOU Concerning Sewer Capacity and Allocation

Lynch shared a Memorandum of Understanding concerning Sewer Capacity and Allocation between the Town, Tim Borrás and David Griffin, Jr. Lynch stated in September 2017, the Town entered into an agreement to allocate 1 MGD to the Chatham-Siler City Advanced Manufacturing Site (“CAM”) based on the Duke Site Rediness Program. (Incorporation by reference as if fully set forth herein Schedule J)

During late 2018 and early 2019, the Town experienced substantial rainfall which increased the annual average flow at the Town’s Wastewater Treatment Plant thus decreasing the amount of available

capacity at the plant. The Town's inability to allocate additional wastewater capacity greatly inhibits the Town's ability to grow and extend allocation for new development. Therefore, the parties have agreed to relinquish 250,000 MGD immediately and the Town agrees to accept the same and at such time the Town can demonstrate a need for additional wastewater treatment allocation, the CAM parties shall in good faith consider relinquishing up to an additional 250,000 MGD of wastewater capacity.

A motion to approve the Memorandum of Understanding concerning Sewer Capacity and Allocation between the Town, Tim Booras, and David Griffin, Jr was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

MANAGER'S REPORT

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

none

CLOSED SESSION

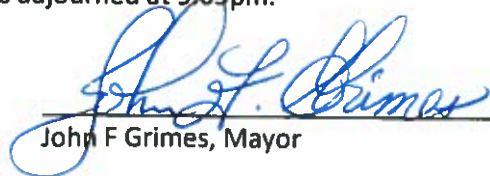
A motion to go into §143-318.11(a)(6) closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee at 8:19pm was made by Commissioner Haiges, second by Commissioner Fadely and unanimously approved.

A motion to come out of closed session at 9:04pm was made by Commissioner Price, seconded by Commissioner Price and unanimously approved.

The Board of Commissioners asked Staff to call a special meeting for Thursday, August 22, 2019 at 6pm.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 9:05pm.



John F Grimes, Mayor

ATTEST:



Jenifer K Johnson, Town Clerk

