

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, August 2, 2021**, at 6:30pm in the Auditorium at Jordan-Matthews High School with Mayor Pro Tem Bray presiding. Commissioner Siler gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Boone recited the Town of Siler City Mission Statement and Commissioner Bray recited the Town of Siler City Vision Statement.

ELECTED TOWN OFFICIALS PRESENT: Norma Boone, Curtis Brown, Lewis Fadley, Bill Haiges, Thomas “Chip” Price, and Tony Siler

TOWN STAFF PRESENT: Town Manager Roy Lynch, Attorney William Morgan, Planning Director Jack Meadows, Public Works Director Chris McCorquodale, Police Chief Mike Wagner, Major James Underwood, and Town Clerk Jenifer Johnson

Zoom: Finance Director Tina Stroupe, Human Resources Director Nancy Darden, Parks and Recreation Director Jack Clelland

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 July 19, 2021 Minutes (Incorporation by reference as if fully set forth herein Schedule A), Sanford Officials Association 2 year contract (Incorporation by reference as if fully set forth herein Schedule B), Recovery Celebration Street Closing Request (Incorporation by reference as if fully set forth herein Schedule C), FY2020 Audit Contract Amendment (Incorporation by reference as if fully set forth herein Schedule D), Triangle J COG Drug and Alcohol Testing Agreement (Incorporation by reference as if fully set forth herein Schedule E) was made by Commissioner Fadely, seconded by Commissioner Brown and unanimously approved.

PUBLIC COMMENT PERIOD

none

PUBLIC HEARING

Rules and Procedures – Town Attorney William Morgan

Lynch stated that Town Staff and Town Attorney William Morgan have outlined reasonable rules on the legislative public hearing according to NCGS 160A-81. Attorney William Morgan reviewed the statute, the rules, and order of presentation with the Board of Commissioners and asked for their approval. (Incorporation by reference as if fully set forth herein Schedule F)

Morgan asked Mayor Pro Tem Bray to open the public hearing for the Mountaire Farms, Inc. request the following street closings pursuant to NC Gen. Stat. §160A-299: a portion of East Third Street, a portion of East Fifth Street, and all of Johnson Avenue. Mayor Pro Tem Bray opened the public hearing at 6:33pm.

Morgan shared the North Carolina General Statute § 160A-81.

Conduct of public hearings. Public hearings may be held at any place within the city or within the county in which the city is located. The council may adopt reasonable rules governing the conduct of public

hearings, including but not limited to rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council may continue any public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the council is not then present, the hearing shall be continued until the next regular council meeting without further advertisement. (1971, c. 698, s. 1.)

Morgan stated that the Siler City Board of Commissioners will set the following reasonable rules on the legislative public hearing on August 2, 2021, following North Carolina General Statute § 160A-81:

- (i) fixing the maximum time allotted to each speaker:
Yes - 5 minutes per speaker.
- (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions:
Yes – Spokesperson is Encouraged.
- (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall:
Yes – The designation of a person to speak on behalf of a group is encouraged.
- (iv) providing for the maintenance of order and decorum in the conduct of the hearing:
Yes -the Board of Commissioners through the Mayor Pro Tem may also take whatever action is necessary to maintain order and decorum to ensure fair and orderly proceedings including asking individuals to leave the room if needed.

Morgan shared the Order of Presentation

1. Town Staff shall present the requested street closure including the location of the property affected, and any other matters relevant for consideration by the Board of Commissioners.
2. The applicant shall present any pertinent information on the requested street closure.
3. The Board of Commissioners may ask questions of the applicant and Staff.
4. Any other interested parties may speak to the street closure request for up to 5 minutes. All such parties shall identify themselves for the record prior to speaking including their name and address.
5. The Board of Commissioners may ask questions of the interested parties.
6. The Board of Commissioners will give Staff direction.

Resolution of Intent to Close a Portion of East Third Street, Johnson Avenue, and a Portion of East Fifth Street and Calling a Public Hearing on the Question

Mayor Pro Tem Cindy Bray opened the public hearing for the Mountaire Farms, Inc. request the following street closings pursuant to NC Gen. Stat. §160A-299: a portion of East Third Street, a portion of East Fifth Street, and all of Johnson Avenue at 7: pm. (Incorporation by reference as if fully set forth herein Schedule G)

Meadows shared the following documents:

1. Final Exhibit For: Right-of-Way Closure E. 3rd St., E. 5th St., & Johnson Ave.
2. 3rd Street Relocation Concept Drawings (submitted on June 1, 2021)
3. Tax maps of project area

4. April 9, 2021, letter from Ramey Kemp to NCDOT
5. April 12, 2021, letter from Ramey Kemp to Town
6. Resolutions of Intent to Close a Portion of E. 3rd St., Portion of E. 5th St., and Johnson Ave. (adopted June 7, 2021)
7. Public hearing notice letter to property owners and list of property owners (mailed July 2, 2021)
8. Declaration of retention of water and sewer easements (mailed July 23, 2021)
9. Timeline
10. Next Steps
11. G.S. §160A-299

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.

Representatives from Mountaire Farms, Inc. were present and shared a video of the proposed new road as well as an updated map of the area.

Cathy Bassett, Director of Communications and Community Relations for Mountaire Farms shared the following comments:

We are proud to be here today representing Mountaire Farms, which is a family-owned and operated business that's been around for more than 100 years. Mountaire is now the 4th largest chicken company in the country, and our processing plant and two hatcheries here in Siler City are an important part of our success. Our plant opened in the spring of 2019, and we now employ about 1,800 people, contract with more than 160 growers, and partner with numerous local businesses to produce our chicken.

We've also been a strong community partner here in Siler City, helping bring back the Spring Chicken Festival as the presenting sponsor. It's been our pleasure to work with community groups like Habitat for Humanity, the Boys and Girls Club, Chatham Literacy, and so many others.

We're here tonight to discuss the future of East Third Street, a vital artery through town that runs adjacent to our plant. As soon as we opened, it became clear that traffic along East Third Street was a major safety concern for us.

We began to devise a solution that we think benefits the town, our neighbors, the residents who use the road, and the company. I want to publicly thank the Siler City Commissioners and the staff here at the town of Siler City for their patience during this process. We've asked questions, we've listened, we've met with local businesses, and we've continually worked to find a solution that works. This new road will cost us about \$6 million to build, and it's our continued investment in Siler City, and we want to let you know we are here to stay and grow, and we want to continue to be a community partner in this town. We're going to show you a 3D version of what the roads going to look like tonight, but before we do, I want to take a moment to introduce the President of our company, Phillip Plylar, who would like to say a few words.

Phillip Plylar, President for Mountaire Farms shared the following comments:

I want to thank you for the opportunity to speak with you tonight. I really want to thank you for the warm welcome we have received here in Siler. Through the years, when I would travel down to our plant in Lumber Bridge, we would travel up to our feed mill in Candor and as we went through Siler City and after

the closure of Townsend, we often wonder if there was anything we could do with that plant. And 200 million dollars later and 1,800 jobs, we think we have a great location and we're proud of it and we hope you're proud too. We are excited to be here. Tonight, we're here to talk about the re-routing of Third Street. We are really asking for you to make that change for us for the biggest thing is safety. The safety is not just for the people that work for us, but for the community at large. We have an initiative in our company called goal zero. The goal is zero accidents every year. This really takes a proactive approach for our facilities to look out front and how a situation may turn south. As you look at Third Street and you see over 450 crossing per day, you could easily see where you may have issues. We would rather look ahead and prevent something than look back. So that's why we're here tonight. During this process, we have really tried to reach out to the community and any businesses that might be affected. We proud of the design and we hope you are too.

Randy Kemp, Mountaire Farms Traffic Engineers shared the updated maps for the proposed re-routing and explained design elements of the maps.

The Board of Commissioners asked questions of representatives of Mountaire Farms. Questions included: Raleigh Street traffic, turn lane on Raleigh Street, timing of construction, Raleigh Street update first, proposed use of Smith Farmland on Raleigh Street, and future impact of plans for that property, and signage.

Comments shared by letter: Mack Neeves with Chatham County Homeless Shelters

I am writing this letter on behalf of Chatham County NC Homeless Shelters (CCNCHS) and because of some personal experiences while driving on East Third Street in Siler City. Unfortunately, I am not able to attend the public hearing on August 2, 2021, at Jordan-Matthews High School due to a prior commitment. I do want to voice my opinion on the project to be discussed that night.

On several occasions while driving on East Third Steet, I witnessed 2 near accidents and was almost involved in one myself where the truck driver could not see me in his blind spot. The jobs created by Mountaire have greatly benefited our community, but the movement of trucks and personnel in that area which is needed for your operations could be a safety hazard. I admire the proactiveness of Mountaire to correct this.

Our organization is fully supportive of rerouting East Third Street traffic around this busy section of your business operations for the safety of your personnel and the public trying to get to Highway 64. Mountaire is a strong partner with CCNCHS in helping feed the people experiencing homelessness.

Beverly Goldston, 1890 Coleridge Road, Siler City 27344

I've been in Siler City all my life. Everyday I go through Third Street. What I've noticed, if I am coming from East to West, what is the conduct of the drivers from Mountaire. I have blown the horn because of their conduct. The don't try and get out of traffic, they sit up high, and they can't see people coming from east and west on Third Street. It's dangerous, its putting people out of the way, its hard on the business. Poultry plants should never have been in the city limits in the first place. It's hard to get out of Bojangles. I'm surprised there haven't been more accidents on Third. You are so caught up with land and money, that you're not putting the conduct of the drivers. I've seen it. Some truckers just sitting with their tail out in the road going into the gate. To shut down one street and put all the problems on Raleigh Street. Money is not everything.

Ken Smith, 18395 NC 902 Hwy, Bear Creek, NC 27207

I work for Wilson Brothers. We contract with Mountaire to haul their live birds. We haul about 80 loads a day into the plant. We cross Third Street around 300 times a day. It is very unsafe trying to get in and out,

especially during the busy times of the day. I agree with Mountaire about the safety, it needs to be redirected for the trucks trying to move around in there without hitting someone. Wilson Brothers agrees that Third Street should be re-routed.

Morgan stated for the record he would like the Board of Commissioners to adopt the rules and procedures.

A motion to approve the reasonable rules and procedures for the legislative public hearing was made by Commissioner Fadely, seconded by Commissioner Haiges, and unanimously approved.

Jimmie Pugh, 330 Womble Street, Siler City, NC 27344

Maybe its me, but the more we talk, the more confusing this situation gets. To me there's a whole lot of after thought that should have been talked about before all this happened. Traffic studies and impact studies should have been presented to the board. I'm just a concerned citizen, but I have seen it. It should have been presented to them to look at and now you have gotten to the point that before you start building anything, you need to come to this side. A traffic study and impact study, to me why somebody didn't know what's coming down the road. Why didn't you know, this street, that all these small businesses are on, you want to close it down. You should have known. Who has the most to lose here. From my point of view, Mountaire is going to be alright. But can you guarantee me that any of these small businesses, that have been here for years, that have put their sweat and tears into building a business, that they're not going to close. None of us know the future, but we know the past and we learn from the past. If you close the street down and impact all the small businesses, I talked to several of them and none of them done good while the street was closed. It's not just a handful of people, its employees, and families. And they have contributed to Siler City also. They have been the small business base for Siler City for years and years. I have been here for 70 plus years. You going to come in here now and upset the whole thing. With no guarantees that when you close this street, that they won't close. What I'm hearing is it's a done deal, its all over. Why do they have that feeling, why has the town not told them. People that have supported you all these years and been there for you and now you going to turn your back on them. That is not right. If you have some traffic studies to back up this up with how many accidents, then you should be telling that. Someone needs to thing about the small businesses.

Barbara Simpson, 775 Rufus Brewer Road, Siler City, NC 27344

We own two pieces of property on Third Street, that we rent to families that run businesses. One is the building with the green roof. How are people going to get into there, are they going to back into the parking lot and turn around. There's a cul-de-sac at the other end. There's a cul-de-sac at the other end of Third Street, why don't they put one here. We probably going to lose our tenant because he will get no traffic. We are totally opposed to closing Third Street.

Donald and Barbara Simpson, 775 Rufus Brewer Road, Siler City, NC 27344

Me and my wife brought this building because we thought it was a good investment. Now you're fixing to cut the ingress egress on the property in half. They would have to go all the way across there to get to Third. We would like for you to consider our request.

Bobby Steele, 901 E Third Street, Siler City, NC 27344

I own One Wash Laundry and Hometown Cleaners. I'll direct my concerns directly to my property. I've been there for nineteen and a half years. We're doing well and hope to continue to do so. I've been hearing safety issues and Mountaire is concerned, and I think that is understandable and beautification. Anything to make Siler City look presentable, I'm all for. A few things that Mountaire might have

overlooked concerning my business. I currently have three road frontages. On the front, side, and back. I currently have around 4,200 potential customers every day. With the redirection, I have one road, and no back entrance. This would be a deprecation to my property. I have not been contacted by Mountaire in reference to my deprecation. They've looked at everything else, it appears. I invested \$750,000 in 2006 and invested another \$240,000 another four years ago. I'm concerned about the deprecation of my property and loosing the potential 2,400 customers and putting me on a dead-end street. I'm in real-estate also and everyone knows location, location, location. If something was to come up between me and Mountaire but the consideration right now, I would be opposed. I have not been contacted by Mountaire.

Krystal Desal, 1322 E 11th Street, Siler City, NC 27344

I'm Krystal and this is my husband, Mike. We own the Exxon that is right at the end of Third Street. We have owned and operated it for the last 14 years. We love this community and all the people in it. When the construction original started and closed off Third Street for the better part of a year. Unfortunately, this hurts our business traffic. It impacted our businesses 30 to 40 percent, which is huge for a small business owner. We are right at that corner, and we were never asked or contacted about how this would impact our business. Additionally, the proposed change with NCDOT about the superhighway on highway 64 will drastically impact us. It will close off the west bound traffic that we currently get. Not only will it close off the traffic coming from Third Street, but it will also close off the west bound traffic on 64 as well. Simple put, we feel like we will still have highway traffic, but many of the out-of-town customers stop to purchase gas. I don't know if many people know, but we don't make much on gas. We make money off the local community that comes in. Our customers are local residents. We don't feel this change is convent for the community, but for a multi-million-dollar company. It lines their bottom line. We generally want what's best for the community, but this is financially driven. We just want you to consider and acknowledge the drastic impact its going to have on small businesses.

Vernon Jones, 802 E Third Street, Siler City, NC 27344

I'm the owner of S&J Plumbing. I've been in Siler City for 34 years and it's a difficult place to do business for a small business. I'm not against Mountaire, they've done a tremendous job for Siler City. They want to be excellent for Siler City, but so does small business. I've asked many people to give me a positive response for this for small business. I know it will benefit Mountaire, but what about the small business. The route for rescue and fire is a wreck now, with these changes its going to slow down the response time. It's not going to help small business. I'm just here to stand up for small business.

Solon Branch, 103 N 10th Avenue, Siler City, NC 27344

It's 10th Avenue and not Street. I think you all have it as street on your drawing. That's important because there's a 10th Street in Siler City. My question is, 10th Avenue, where I live is a neighborhood street, that is narrow and it's a very busy area. Recently we have had incidents where we have had 18 wheelers get stuck coming off Raleigh Street. Will Third be completely closed, will all traffic going in and out of Mountaire be stopped there as well. The traffic is very difficult on the street even for two cars, let alone trucks. Will other trucks use that street as a cut through. Has the city consider no truck traffic on that street. I think that needs to be a consideration for the residents on 10th Avenue.

Mary Jackson, 625 E Third Street, Siler City, NC 27344

As I listen with respect to Mountaire and all the businesses that are on East Third Street. I've been living there for 36 years. I don't own a business, but I'm a resident. I'm not sure how many residents there are, because when I first moved onto the street it was residential, and now it's been changed to commercial.

My concern is what about our water and other things. What happens to all of that when ever the changes are made to benefit businesses.

Janet Ramirez Ramirez, 1007 York Street, Siler City, NC 27344

I want to say good afternoon to the Town of Siler City Commissioners. I'm a twenty-year resident. I've been here during the traffic jams, when students are pulling out of 10th Avenue, down the road from the school. I was part of a jam not to long ago. The easiest way to get out of those jams is to go on North Chatham and go on East Third and go to Highway 64. With the closing of Third Street, you are causing us to turn out that way and turn again. I have to travel to Pittsboro, and I have not much time to get there. But closing Third Street, if there is a jam, you are prolonging my travel time. It's better to just leave the traffic and let it flow and not just benefit your company. We have been here though the ups and downs of the town. When ever the last poultry plant closed, the East Third businesses and ever other business we have in town are the ones that helped the town survive. My favorite restaurant closed down because of the road closure during construction. Your employees don't care, they just stop and front of you and if you're not a cautious driver there is bound to be an accident. You're cutting our entrance to downtown. You said there was an impact study, and I haven't seen it in the packet, and I just want to make sure the commissioners have seen that, because that's important to downtown.

Hannia Benite, 1278 E Raleigh Street, Siler City, NC 27344

I work in Siler City, and I have kids at Siler City Elementary and Chatham Middle. I think the town needs to do more research and a thing like this is going to impact a lot of families. I use these roads and there needs to be improvements in that area. I think East Raleigh needs upgrading. I haven't seen an increase in crashes. I use those businesses that are in that area. It's a big inconvenience to try and go around the road closure. My recommendation is to use the tools that maybe you don't know about and maybe research those tools to help our community. It's really important for our town and our commissioners. Any reports that you guys have, please get those to the residents. That way we can also feel comfortable with anything.

Mountaire President Phillip stated that Mountaire is willing to work on some of the concerns that we have heard tonight including Raleigh Street and the cul-de-sac, business impact challenges, and traffic.

The Board of Commissioners discussed the street closure request and would like more information including the conditions of the closure, case law for road closures, street name, and timing of the closure.

A motion to recess the public hearing and hold a special meeting on August 30, 2021, at 6:30pm at the Wrenn Memorial Library, moving to Jordan Matthews if needed, to resume the public hearing for the requested street closing for a portion of East Third Street, portion of East Fifth Street, and all of Johnson Avenue was made by Commissioner Haiges, seconded by Commissioner Fadely, and unanimously approved.

OLD BUSINESS

none

NEW BUSINESS

none

MANAGER'S REPORT

Lynch shared the following with the Board of Commissioners: 5th Street sinkhole repairs, Redistricting timeline, and ARP funding received.

TOWN ATTORNEY INFORMATION

none

GOVERNING BODY COMMENTS

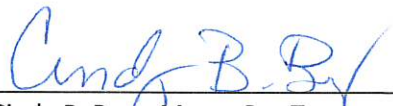
none

CLOSED SESSION

none


ADJOURNMENT

With no further business the Board of Commissioners adjourned at 8:38pm.



Cindy B. Bray, Mayor Pro Tempore

ATTEST:



Jenifer K. Johnson, Town Clerk

