

TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, August 5, 2019** at 7:00pm in City Hall Courtroom with Mayor Grimes presiding. Commissioner Siler gave the invocation with 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: Cindy Bray, Larry Cheek, Mike Constantino, Lewis Fadely, John Grimes, Bill Haiges, Thomas "Chip" Price, and Tony Siler

TOWN STAFF PRESENT: Interim Town Manager Roy Lynch, Attorney William Morgan, Parks and Recreation Director Joseph Keel, Human Resources Director Nancy Darden, Planning Director Jack Meadows, Police Chief Mike Wagner, Police Major James Underwood, Police Lieutenant Mark Gonzales, Police Officer Noah Coe, Police Officer Justin Bridges, Police Officer Al Parisi, Police Officer Jeffrey Wiggins, and Town Clerk Jenifer Johnson.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

Lynch requested the addition of 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.

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 the July 11, 2019 Special Meeting Minutes (Incorporation by reference as if fully set forth herein Schedule A), July 15, 2019 Minutes (Incorporation by reference as if fully set forth herein Schedule B), July 25, 2019 Special Meeting Minutes (Incorporation by reference as if fully set forth herein Schedule C), FEMA Designation of Agent Resolution (Incorporation by reference as if fully set forth herein Schedule D), Airport Wright Property Ratification and Extension of Option to Purchase (Incorporation by reference as if fully set forth herein Schedule E), Response Letter to Local Government Commission (Incorporation by reference as if fully set forth herein Schedule F) was made by Commissioner Fadely, seconded by Commissioner Constantino and unanimously approved.

PRESENTATIONS

Swear In Police Officers Al Parisi and Jeffrey Wiggins

Mayor Grimes administered the Oath of Office for Police Officers Al Parisi and Jeffrey Wiggins.

OLD BUSINESS

Boling Lane Park Riparian Buffer

Keel stated that Siler City residents have contacted the Parks and Recreation Department regarding the riparian buffer along the creek at Boling Lane Park. (Incorporation by reference as if fully set forth herein Schedule G) The comments have been negative and are not an accurate reflection on the Siler City Parks and Recreation Department. Boling Lane Park is a heavily used and highly visible park from Raleigh St. The perception is that the Parks and Recreation Department doesn't care about Boling Lane Park. Staff's

efforts are limited due to the restrictions of the Community Conservation Assistance Program (CCAP) Grant that assisted financially with the project. Parks and Recreation staff have also been informed that there is an excessive amount of sediment built up in the creek. This build up results in water being unable to pass through. This is thought to be due to the over grown vegetation. Parks and Recreation staff has spoken with the Planning Department to review our ordinances regarding nuisance vegetation. The Planning Department considers this to be a nuisance vegetation violation due to the riparian buffer is within 200 feet of residential property lines. Staff provided language from the UDO for you to review.

Keel stated that Staff has researched different options and has provided two solutions for you to review.

Option 1

Pay back the grant of \$2,788 and begin pruning the vegetation back to a more aesthetically pleasing state. Vegetation will be maintained at 6" to 8" high to serve the purpose of filtering the water. In 2014, staff was mowing the creek side down to the dirt. Currently, staff is doing the exact opposite, due to the restrictions of the CCAP guidelines, which prohibits the act of mowing and weed-eating the riparian buffer. Option 1 is believed to split the difference, while not killing the vegetation down to the dirt or letting the vegetation get unsightly, staff will keep the vegetation high enough to serve a purpose but also look well-kept.

Option 2

After speaking with the Chatham County Soil and Water Conservation, staff is allowed to enter the riparian buffer by foot and use hand trimmers to trim unsightly vegetation. Staff has estimated this work procedure to take four (4) employees a 40 hour work week to complete. This hand trimming would need to be completed twice annually. Staff also raises the concern of safety with this option. Given the environment of the buffer, contact with dangerous wildlife such as snakes and spiders, along with working in an area with unsure footing creates a higher chance for staff injury.

Keel shared pictures of the riparian buffer.

The consensus of the Board of Commissioners was to go with option 2, hand prune selectively, and set the money aside for the future decision.

Tobacco Ordinance for Town Property

Lynch stated on April 4, 2016 the Town of Siler City Board of Commissioners approved the attached 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 H)

On April 15, 2019 the Board of Commissioners directed Staff to bring tobacco policies to them concerning Town property.

Town Attorney William Morgan shared the following documents:

- NCGS § 130A-498 Local Government Regulation of Smoking
- Town of Canton Ordinance
- Haywood County Ordinance
- State of North Carolina Health and Human Services Department Model Ordinance for County or Municipal Governments

The consensus of the Board of Commissioners was to use the language in the Chatham County policy as a Town Ordinance, place in Town Code, and bring the draft back to the Board of Commissioner at the next meeting.

Tobacco Policy for Parks and Recreation Property

Keel stated that Staff has noticed an increase in the amount of tobacco users in our park system. Park patron's safety and health is a concern of the Parks and Recreation Department. (Incorporation by reference as if fully set forth herein Schedule I)

Keel shared a proposed new Administrative Policy: Smoking and the use of other tobacco products, such as smokeless tobacco and electronic cigarettes, will be prohibited in any Town of Siler City Parks and Recreation facilities and/or on park grounds.

Keel shared the following:

Why to have a tobacco policy?

- Siler City Parks and Recreation is committed to protecting the health of individuals and employees in park facilities and on grounds by eliminating exposure to secondhand smoke and tobacco products.
- We can all be positive role models for Siler City's youth. Having a tobacco-free policy sets the right example for our Siler City's youth by demonstrating healthy lifestyle behaviors.
- Outdoor tobacco-free policies have been shown to decrease litter and therefore reduce clean-up costs in outdoor areas.

Health Impacts

- Siler City residents, employees and visitors have the right to breathe clean air on park grounds and not be exposed to tobacco products.
- According to the Centers for Disease Control and Prevention (CDC), tobacco use and secondhand smoke exposure are leading preventable causes of illness and premature death in North Carolina and the nation.
- Youth tobacco use has recently increased in North Carolina and Chatham County. Overall tobacco use among NC high school students increased from 25.8% to 29.7% from 2011 to 2013. Creating tobacco-free environments reduces opportunities for youth to be exposed to tobacco use.
- There are solutions to the health and environmental impacts of smoking. For example, in 2010 after restaurants and bars became smoke-free in NC, average weekly emergency room visits by people experiencing heart attacks decreased by 21%.

Health Concerns and Risks of Electronic Cigarettes

- The United States Food and Drug Administration (FDA) announced that an analysis of e-cigarette samples found that e-cigarettes not only contain nicotine but also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze. The emitted aerosol has also been found to not just be water vapor, but contains nicotine and potentially additional toxins, making it less safe than clean air to the nearby non-user.

- Experimentation and use of e-cigarettes have risen sharply among young people according to the recently released NC Youth Tobacco Survey.

The consensus of the Board of Commissioners was to bring back the Town Ordinance which will include the parks at the next meeting.

NEW BUSINESS

Advisory Board Appointments

(Incorporation by reference as if fully set forth herein Schedule J)

Airport Authority

Lynch shared the following:

On June 30, 2019, Wayne Andrews' first term as a member of the Siler City Airport Authority expired. Andrews' is not willing to serve the second term.

On June 30, 2019, Bill Houston's first term as a member of the Siler City Airport Authority expired. Houston is willing to serve the second term, which will expire on June 30, 2022.

The members of the authority shall be appointed by the Mayor with the approval of the Board of Commissioners. The Airport Authority shall consist of five (5) members appointed for three-year staggered terms.

After advertising on the town website for two months, the classified section of the Chatham News and Record for one month, a block ad in the Chatham News and Record for an additional month, and on WNCA Radio Station for one month, the following have shown interested in being appointed to the Siler City Airport Authority:

Ted Cannaday 993 Brower Road Siler City, NC 27344

Mayor Grimes is recommending the following be appointed as members to the Siler City Airport Authority:

Ted Cannaday 993 Brower Road Siler City, NC 27344

Current Members

Name	First Term	Second Term
Tim Booras	2018-2021	
Walter Petty	2015-2018	2018-2021
Bill Houston	2016-2019	2019-2022
Vacant	2019-2022	
Barry Hayes	2017-2020	

A motion to appoint Ted Cannaday to the Siler City Airport Authority for a first term which will expire on June 30, 2022 appoint Bill Houston to the Siler City Airport Authority for a second term which will expire on June 30, 2022 was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

Downtown Advisory Committee

Lynch shared the following:

Henry Smith, Jr. resigned from the Downtown Advisory Committee.

On June 30, 2019, Luran Hoders' first term as a member of the Downtown Advisory Committee expired. Hoders' is not willing to serve the second term.

On June 30, 2019, Jason Hoyle's first term as a member of the Downtown Advisory Committee expired. Hoyle is will to serve the second term, which will expire on June 30, 2020.

On June 30, 2019, Richard Szary's first term as a member of the Downtown Advisory Committee expired. Szary is will to serve the second term, which will expire on June 30, 2020.

The Downtown Advisory Committee which will consist of nine (9) members.

After advertising on the town website for two months, the classified section of the Chatham News and Record for one month, a block ad in the Chatham News and Record for an additional month, and on WNCA Radio Station for one month, the following have shown interested in being appointed to the Downtown Advisory Committee:

April Weaver 322 East Raleigh Street Siler City, NC 27344

Mayor Grimes is recommending the following be appointed as members to the Downtown Advisory Committee:

April Weaver 322 East Raleigh Street Siler City, NC 27344

Mayor Grimes is seeking recommendations from the Board of Commissioners for the remaining vacancy.

Current Members

Name	First Term	Second Term
Tim Booras	2018-2021 (3 years)	
Wren Farrar	2018-2021 (3 years)	
Cecil Wilson	2018-2021 (3 years)	
Jackie Adams	2018-2020 (2 years)	
Denis de St Aubin	2018-2020 (2 years)	
Vacant	2018-2020	
Vacant	2019-2022	
Jason Hoyle	2018-2019 (1 year)	2019-2022
Richard Szary	2018-2019 (1 year)	2019-2022

A motion to appoint Jason Hoyle and Richard Szary to a second term which will expire on June 30, 2022 and appoint April Weaver for a first term which will expire on June 30, 2020 was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

Parks and Recreation Advisory Committee

Lynch shared the following:

On June 30, 2019, Jonathan Contreras resigned from the Parks and Recreation Advisory Committee.

The Siler City Parks & Recreation Advisory Committee which consist of seven (7) members.

After advertising on the town website for two months, the classified section of the Chatham News and Record for one month, a block ad in the Chatham News and Record for an additional month, and on WNCA Radio Station for one month, the following have shown interested in being appointed to the Siler City Parks and Recreation Advisory Committee:

Justin Tillett 1021 Candlewood Circle Siler City, NC 27344
Brian Wiggs 100 Rock Haven Rd Apt Q103 Carrboro, NC 27510

On August 5, 2019 Calynn Smith resigned from the committee.

Mayor Grimes is recommending the following be appointed as members to the Siler City Parks and Recreation Advisory Committee:

Justin Tillett 1021 Candlewood Circle Siler City, NC 27344
Brian Wiggs 100 Rock Haven Rd Apt Q103 Carrboro, NC 27510

Current Members

Name	First Term	Second Term
Kenneth W. Powers	2017-2020	
Richard McSwain Sr.	2017-2020	
Andre Mapp	2017-2020	
Calynn Smith	2018-2021	
Ben Suggs	2018-2021	
Lou Giovenco	2019-2022	
Vacant	2019-2022	

A motion to appoint Justin Tillett and Brian Wiggs to the Parks and Recreation Advisory Committee for a first term which will expire on June 30, 2022 was made by Commissioner Fadely, seconded by Commissioner Constantino and unanimously approved.

Planning Board

Lynch shared the following:

Guile Contreras resigned as the City Limits Alternate Member of the Siler City Planning Board and Board of Adjustment.

On June 30, 2019, Randall Parks' first term expired as a City Limits Member. He is willing to serve a second term, which will expire on June 30, 2022.

On June 30, 2019, Butch Hudson's first term expired as an ETJ Member. He is willing to serve a second term, which will expire on June 30, 2022.

The planning board shall consist of seven (7) members, four (4) of whom shall reside within the town's corporate limits and three (3) who reside within the town's extraterritorial jurisdiction. The members shall be appointed by the mayor with the approval of the majority of the board of commissioners.

After advertising on the town website for two months, the classified section of the Chatham News and Record for one month, a block ad in the Chatham News and Record for an additional month, and on WNCA Radio Station for one month, Staff has not received any interest.

Mayor Grimes is asking for recommendations from the Board of Commissioners for the one vacancy (City Limit Alternate).

Current Members

Name	Type	Old Term	First Term	Second Term
Albert T Alston	City Limits Member		2017-2020	
Curtis Brown	City Limits Member	2014-2017	2017-2020	
Randall Parks	City Limits Member		2016-2019	2019-2022
Ann C Radcliffe	City Limits Member		2015-2018	2018-2021
Vacant	City Limits Alternate		None	
Darrell Andrews	Extraterritorial Jurisdiction Member		2014-2017	2017-2020
Butch Hudson	Extraterritorial Jurisdiction Member	2013-2016	2016-2019	2019-2022
Linda Kolpack- Martindale	Extraterritorial Jurisdiction Member		2018-2021	
Henry Smith, Jr.	Extraterritorial Jurisdiction Alternate		None	

A motion to appoint Randall Parks to the Siler City Planning Board and Board of Adjustments as a City Limits Member for a second term which will expire on June 30, 2022. Appoint Butch Hudson to the Siler City Planning Board and Board of Adjustments as ETJ Member for a second term which will expire on June 30, 2022 was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

MANAGER'S REPORT

none

TOWN ATTORNEY INFORMATION

none

DEPARTMENT REPORTS

The following reports were shared with the Board of Commissioners: Building Inspections, Finance, Fire, Human Resources, Parks and Recreation, Planning and Community Development, Police, and Public Works.

GOVERNING BODY COMMENTS

Mayor Pro Tem Cheek stated that someone had asked him about putting up signs in parking lots to remind shoppers of children remaining in cars. The Board of Commissioners discussed signs and asked Chief Wagner and Jack Meadows to survey businesses.

CLOSED SESSION

A motion to go into closed session § 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged at 8:12pm was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

A motion to come out of closed session at 8:31pm was made by Commissioner Fadely, 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 at 8:32pm was made by Commissioner Fadely, seconded by Commissioner Price and unanimously approved.

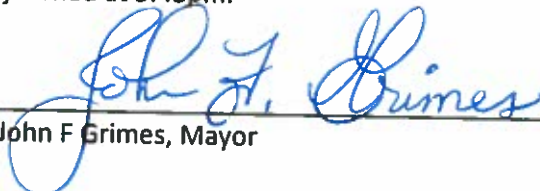
A motion to come out of closed session at 8:49pm was made by Commissioner Haiges, seconded by Commissioner Fadely and unanimously approved.

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 at 8:50pm was made by Commissioner Haiges, seconded by Commissioner Price and unanimously approved.

A motion to come out of closed session at 9:44pm was made by Commissioner , seconded by Commissioner and unanimously approved.

ADJOURNMENT

With no further business the Board of Commissioners adjourned at 9:45pm.



John F Grimes, Mayor

ATTEST:



Jenifer K Johnson, Town Clerk

