

## TOWN OF SILER CITY

The Siler City Board of Commissioners met in Regular Session on **Monday, August 5, 2024**, at 6:30pm in the City Hall Courtroom with Mayor Matthews presiding. Commissioner Boone gave the invocation with the recitation of the Pledge of Allegiance following. Commissioner Bray recited the Mission Statement and Commissioner Hauser recited the Vision Statement.

**ELECTED TOWN OFFICIALS PRESENT:** Albert Alston, Norma Boone, Cindy Bray, Curtis Brown, Travis Patterson, Donald Matthews, Lewis Fadely and Alec Hauser.

**TOWN STAFF PRESENT:** Interim Town Manager Jack Meadows, Finance Director John O'Keefe, Community Planner Sara Martin, Planning Director Tim Mack, Senior Planner Tim Garner, Public Utilities Director Chris McCorquodale, Wastewater Superintendent Brittany York, Public Works Superintendent Dillon Dispennette, Assistant Town Manager & Town Clerk Kimberly Pickard, Police Chief Brian Regan, and Town Attorney William Morgan.

### AGENDA ADJUSTMENTS / APPROVAL OF AGENDA

Interim Town Manager, Jack Meadows requested to add 4.3 Withers & Ravenel Paving Condition Survey and 7.1 Fee Schedule- Parks and Recreation Friday Night Flicks Sponsorships to the Agenda.

*A motion to approve the agenda as amended was made by Commissioner Brown, seconded by Mayor Pro Tem Fadely and unanimously approved.*

*A motion to approve the consent agenda which includes the Floodplain Administrator Resolution (incorporation by reference as if fully set forth herein as Schedule A) Resolution accepting the 2023 Appropriations Act Directed Projects Grant Offer in the amount of \$2,462,500.00 and Capital Budget Ordinance for Elevated Storage Tank Amendment (incorporation by reference as if fully set forth herein as Schedule B) was made by Mayor Pro Tem Fadely seconded by Commissioner Brown and unanimously approved.*

### PRESENTATIONS

Mayor Donald Matthews swore in Deputy Clerk Briana Avalos.  
Brian Regan, Chief of the Siler City Police Department introduced new department hires and promotions.  
Timothy Mack, Planning & Community Development Director, introduced Sara Martin, the new Community Planner.

#### Withers & Ravenel Paving Condition Survey:

Steve Lander with Withers & Ravenel presented the Board of Commissioners with the Paving Condition Survey that was done on the Town of Siler City streets and roadways. The Paving Study provided the current conditions and the cost of repairs and or resurfacing.

### PUBLIC HEARING

**Mayor Matthews opened the Public Hearing at 6:42pm**

Text Amendment TA24-02 Article XI Section 162-Noise :

Planning and Community Development Director, Timothy Mack provided information concerning the text amendment TA24-02 Article XI Section 162- Noise

The Unified Development Ordinance (UDO) currently stipulates that noise emanating from enterprises permitted by-right in Light Industrial (L-I) and Heavy Industrial (H-I) zoning districts be restricted to a decibel range of 50-70 dB(A) during daytime hours, and 45-70 dB(A) during evening and nighttime hours. A by-district breakdown of existing noise limits between the L-I and H-I districts are cited below as 162(e) - Table of Maximum Permitted Sound Levels, dB(A): These restrictions far exceed those of Siler City's neighboring communities, while some don't have any restrictions at all (see attachment - Noise Regulation Comparison - For Industrial Uses). The low decibel levels currently prescribed to adjoining residential and PUD districts can hinder crucial operational components of industrial businesses, e.g., the use of backup generators in the event of an emergency. The proposed text amendment would adjust the decibel range to allow industries within LI and HI districts to fully operate as intended. Further, the proposed text amendment is compatible with the purpose and intent of the Town's industrial districts, which is to accommodate the industrial processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment.

The proposed changes to the UDO are comprehensive and include both industrial districts (Light and Heavy), expanding the hours of allowance, exemptions, and the decibel range to which adjacent zoning districts are exposed (Res. & PUD / Commercial).

Zoning

Res. & PUD

7am - 7pm

Res. & PUD

7pm - 7am

Commercial L-I H-I

L-I 50 45 55 60 65

H-I 50 45 60 65

A representative from Wolfsped spoke on behalf of the Wolfsped project and addressed the Board of Commissioners for the need for the Text Amendment that would allow Wolfsped to operate as currently without this text amendment Wolfsped is not in compliance with the current ordinance.

**Mayor Matthews Closed the Public Hearing at 7:26pm**

***A motion to approve the ordinance amending Article XI Section 162- Noise of the Siler City Unified Development Ordinance was made by Commissioner Bray and seconded by Commissioner Boone and unanimously approved.***

**NEW BUSINESS**

None

## OLD BUSINESS

### 6.1 Solid Waste Pickup SOP:

Planning & Community Development Director, Timothy Mack provided the Board of Commissioners with an update on the Solid Waste Pickup Standard Operating Procedure (SOP).

6.2 Siler City Municipal Airport- Environmental Study Assessment- Assistant Town Manager-Town Clerk Kimberly Pickard went over the timeline of events with the Board of Commissioners outlining the Parallel Taxiway and Apron Expansion of the Siler City Municipal Airport. The Town was awarded a grant on October 17, 2022, of \$227,996.00 with a local match of \$25,330.00 this grant funded the Environmental Impact Study which is required by done in coordination with local, state and Federal authorities. A thirty-day comment period is required by the EPA and NEPA. Pickard asked for a consensus from the Board of Commissioners to advertise the Environmental Impact Study on the Towns Website and the Chatham News and Record to allow a Public Comment Period as required by FAA Order 5050.4B and 1050IE. The Board of Commissioners gave a consensus.

101 E. Raleigh Street Sale of Real Property: Assistant Town Manager-Town Clerk Kimberly Pickard presented the Board of Commissioners the two bids that were received by Town Staff at the bid opening on July 29, 2024, according to the Resolution that was adopted by the Commissioners at the June 17, 2024 authorizing the sale by sealed bid. Town Staff received two bids, \$158,000.00 from Chatham-Lee Properties and \$ 80,000.00 from Dakas & Farnsworth. Pickard informed the Board of Commissioners they can reward the highest responsive, responsible bidder or reject all bids.

***A motion to accept the offer of \$158,000.00 from Chatham-Lee Properties was made by Commissioner Alston, seconded by Commissioner Hauser and unanimously approved.***

### Siler City Youth Football League:

Assistant Town Manager-Town Clerk Kimberly Pickard, discussed with the Board of Commissioners the timeline of the Siler City Youth Football program and the Town's desire to convey the Town Owned football equipment to the Siler City Youth Football program. Pickard explained that the Siler City Youth Football has obtained Non-Profit status and now the Board of Commissioners could by resolution convey the Football equipment to the Siler City Youth Football League.

***A motion to approve a resolution allowing Town Staff to post public notice of Board of Commissioners intent to dispose of certain property "Football Inventory" at the August 19, 2024 Board of Commissioners Regular meeting was made by Commissioner Bray seconded by Mayor Pro Tem Fadely and unanimously approved.***

RFP United Development Ordinance- Planning and Community Development Director Timothy Mack provided a background of the United Development Ordinance (UDO) with the Board of Commissioners. The UDO was originally adopted August 1, 1993, with sections of the UDO

being amended over the years with the largest number of amendments occurring with the North Carolina General Assembly adopted Chapter 160D combining County and Municipal planning and zoning regulations. On July 15, 2024, the Siler City Board of Commissioners adopted the 2024 Comprehensive Land Use Plan. The Land use plan identified several key areas to assist with future planning and zoning goals for the Town including the short-term goal of updating the UDO to align with the plan's elements, and action steps.

***A motion to approve town staff's request to move forward with the draft RFP and to allow Town staff to proceed with soliciting proposals to the update the UDO was made by Mayor Pro Tem Fadely seconded by Commissioner Boone and unanimously approved.***

NCDOT Sidewalk Projects:

Finance Director, John O'Keefe discussed with the Board of Commissioners the request for two capital Budget Ordinances for North Second Ave Sidewalk Project and the East Third Street Sidewalk Projects. The Ordinances are needed do the Board of Commissioners committing to a 20% local match on two separate North Carolina Department of Transportation Grants.

***A motion to approve Capital Budget Ordinance 2025.06 N. 2<sup>nd</sup> Ave Sidewalk was made by Commissioner Brown seconded by Mayor Pro Tem Fadely and unanimously approved.***

***A motion to approve Capital Budget Ordinance 2025.06 E. 3<sup>rd</sup> Street Sidewalk was made by Commissioner Brown seconded by Mayor Pro Tem Fadely and unanimously approved.***

## NEW BUSINESS

Fee Schedule- Parks and Recreation Friday Night Flicks Sponsorships

Finance Director, John O'Keefe presented the Board of Commissioners with a three-step sponsorship tier plan, that would allow three different levels of sponsorship instead of just the \$300.00 level. The tiers would be Gold \$300.00, Silver \$200.00 and Bronze \$100.00

***A motion to amend the 2024-2025 Fee Schedule to include Friday Night Flicks tiered sponsorship was made by Mayor Pro Tem Fadely, seconded by Commissioner Brown and unanimously approved.***

## MANAGERS REPORT

Interim Town Manager, Jack Meadows provided the Board of Commissioners with a Meter installation update and reminded the Board of Commissioners there would a Sanford Merger update at the September 3<sup>rd</sup> Board of Commissioners Meeting provided by Robert Hagman, Merger Attorney and Charles Archer with Freese & Nichols.

Assistant Town Manager & Town Clerk Kimberly Pickard provided the Board of Commissioners with an update to the Towns new website and mass media notification system kick off.

GOVERNING BODY COMMENTS

NONE

CLOSED SESSION

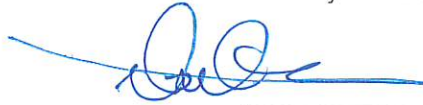
*A motion to go into Closed Session at 8:20pm § 143-318.11 (a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded was made by Mayor Pro Tem Fadely seconded by Commissioner Boone and unanimously approved.*

*A motion to go out of closed session at 8:48pm was made by Mayor Pro Tem Fadely seconded by Commissioner Boone and unanimously approved.*

*A motion to enter into the Settlement and Severance Agreement with Henry "Hank" Raper was made by Mayor Pro Tem Fadely seconded by Commissioner Boone and uniamously approved.*

ADJOURNMENT

With no further business, the Board of Commissioners adjourned at 8:51pm.



Donald Matthews, Mayor

ATTEST:

  
Kimberly D. Pickard, Town Clerk