

TOWN OF SILER CITY

The Siler City Town Board of Commissioners met in regular session on **Monday, August 20, 2012 at 7:00 p.m.** in the City Hall Courtroom with Mayor Charles Johnson presiding. After the recitation of the Pledge of Allegiance, Commissioner Siler gave the invocation. A motion to approve the minutes from the August 6, 2012 meeting was made by Commissioner Adams, seconded by Commissioner Price and unanimously carried.

COMMISSIONERS PRESENT: Sam Adams, Cindy Bray, Larry Cheek, Michael Constantino, John Grimes, Thomas K. Price, III and Tony Siler.

TOWN STAFF PRESENT: Town Manager Joel J. Brower, Police Chief Gary Tyson, Recreation Director Donald Dones and Town Clerk Karen Alman.

PUBLIC COMMENT SESSION: No one signed up to address the Board.

AMUSEMENTS BUSINESS LICENSE – RICK EARNHARDT, B & E BUSINESS CENTER: Brower advised he along with Chief Tyson have performed the required background check on Mr. Earnhardt and employees of the business and found no reason to prohibit the operation of this sweepstakes business to be located at 1121 E. Eleventh Street. Hours of operations will be 7:00 a.m. to 1:00 a.m. with approximately 40 computers. A motion to approve the issuance of this business license was made by Commissioner Constantino and unanimously carried upon a second from Commissioner Siler. *(Schedule 6-A)*

CDBG GRANT FUND APPLICATION-BILL LESTER, HUA: Bill Lester with Hobbs, Upchurch & Associates explained the NC Department of Commerce, Division of Community Investment & Assistance created a NC Catalyst Grant Program in 2011. This program gives municipalities the ability to create the project that will fit them best to include one of the six livability principles as an area of focus: provide more transportation choices, promote equitable, affordable housing, enhance economic competitiveness, support existing communities, coordinate and leverage investment, and value communities and neighborhoods. The project may consist of one or more of the following categories: housing, community revitalization, special project public facilities and public services. It is a very competitive program and competitively graded. Lester stated that NC expects to receive approximately \$42,500,000 in CDBG funds with \$5,000,000 made available for the Catalyst Program. The maximum grant is \$500,000 with no required local match; however, a local match would help to strengthen the application. Lester pointed out that the Catalyst Program is designed for community type activities and require that the project benefit be limited to clientele of 51% low and moderate income. He stated that the 2012 area-wide benefit for Siler City is 69.2% which exceeds the 51% requirement. Mayor ProTem Grimes asked if the Town was fortunate enough to receive these grant funds if the monies would be considered to help the Boys & Girls Club build a facility with Lester responding he thought it would be something that would be considered. Mayor Johnson pointed out that the whole area that contains the Paul Braxton Field and the building that needs rehabilitated for the Boys & Girls Club could be considered as well as bathroom facilities. Commissioner Constantino reported that the soccer field project has been awarded a \$40,000 grant plus the field with lights already in place. They now need funds to turn the baseball diamond into a soccer facility stating that "it will take some money to do that probably when all is said and done we are probably going to need around \$200,000 for this job". Mayor ProTem Grimes asked if that could be tied in with the Boys and Girls Club with Lester responding that projects could be mixed and matched. In response to a question from Constantino if it would be better to have one project or several, Lester answered that it sounds like what the Board is talking about doing with the soccer field and the boys and girls club in the same block could all be tied together. Several projects could be considered, but too many could hurt the application. Commissioner Cheek stated he would like to see improvements made at Bray Park as well. The deadline for submitting the application is October 31, 2012. Lester advised it will be important to "tell the story" of how these projects will benefit the community. Two public hearings will need to be held before submittal of the application. The first public hearing is generic and will cover any CDBG program the town might apply for in the next 12 months. It will allow for citizens to state what they would like the grant funds to be used for and the second public hearing will let the public know specifically what the funds will be used for and gather comments from them. Commissioner Constantino pointed out there are only 3 meetings left before the application deadline. He stated he has been going to meetings for some time for the STEP program and it is now in its third year and "still trying to stick the shovel in the ground". Constantino stated he could have the soccer field information by the next meeting. Cheek feels contacting Sara Marion with the Boys & Girls Club to get specific information will be very beneficial. He stated the Boys & Girls Club is making a lot of changes in kids' lives and that the soccer field will be an asset to Siler City, however, he would like to include improvements at Bray Park if possible. Commissioner Bray advised there are many kids and their families at Bray Park every night participating in some type of sports and would like to see improvements there as well. Brower asked if the grant funds could be used for property acquisition with Lester replying it could but would need to include a specific project for that property. Lester mentioned there is a PARTF Program that the soccer field project could possibly fit in, but it requires a dollar for dollar match. They also like to see a master plan for the project. Adams asked what improvements the other commissioners would like to see at Bray Park? Bray asked Recreation Director Dones what his priorities are at Bray Park with Dones stating that bathrooms on the upper and lower ends. He also would like to see the turf converted to bermuda which is a safer surface and also an irrigation system for the fields. Commissioner Bray also pointed out that the tennis courts need resurfacing. Dones noted that Siler City Recreation now serves approximately 1,000 kids and 250 adults. Commissioner Constantino stated he would like to see each of the Commissioners take different areas such as the soccer park, Bray Park and the Boys and Girls Club and gather specific information on each project. Each group could meet with Joel, Donald and Jack, if necessary, and bring back information to the meeting on September 17th. Brower advised he will call Sara Marion with the Boys & Girls Club to get figures, Donald will provide numbers on the Bray Park project and Commissioner Constantino will have definite figures for the soccer project. Constantino pointed out that Donald is very busy with other things and wanted to see other Board members take on some responsibility stating that it is going to be just like it has in the past with nothing being done. Donald already has information on bathrooms at Bray Park and will just need to get updated figures and diagrams. All of these projects can be discussed the night of the public hearing along with suggestions made by citizens. A motion to set the first public hearing, which will be generic, for the CDBG grant application for Monday, September 17, 2012 was made by Commissioner Price and unanimously carried upon a second from Mayor ProTem Grimes. *(Schedule 6-A)*

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SILER CITY ABC BOARD'S RE-ADOPTION OF THE TOWN'S TRAVEL POLICY: Town Manager Brower advised the Town's travel policy for use by the Siler City ABC Store was approved last year; however, ABC Store Manager Nancy Gooch is asking the policy be approved again this year to meet an annual requirement by the NC ABC Commission. Mayor ProTem Grimes made a motion to approve the Siler City ABC Store's use of the Town's Travel Policy, seconded by Commissioner Cheek and unanimously carried. *(Schedule 6-B)*

PROPOSAL FROM PAUL CUADROS AND CHATHAM SOCCER LEAGUE REGARDING PAUL BRAXTON FIELD: Commissioner Constantino stated most of the project costs have been gathered but not all. He advised it would take between \$300,000 and \$400,000 for artificial turf with Mayor ProTem Grimes asking where the money was coming from? Constantino stated they were not going to go with the artificial turf although it will hold up better under everyday play. Grimes then asked who was going to be responsible for the financial upkeep of this field? Constantino answered it will be the Town of Siler City with help from the Chatham Soccer League. He added it will be paid for by those using the field as they will be required to get a permit. There will also be a \$20.00 registration fee per child to play on a soccer team stating that these same kids are paying \$99.00 and \$112.00 in Cary and Chapel Hill. The Paul Braxton Field will be dedicated specifically for kids up to high school to play soccer. Others wanting to use the field for other purposes will rent the field. Commissioner Bray asked if there would be a fence around the field to keep people out with Constantino responding yes. He also stated that another way they plan to secure the field is to have police officers to make periodic rounds to check on the field. Another deterrent is to have the irrigation system programmed remotely to water field intermittently. Grimes asked Constantino to provide a cost estimate of what it will cost the taxpayers to maintain this facility on an annual basis. Adams pointed out it needs to be taken into consideration that the Town is already maintaining this area with Grimes stating that it is being upgraded which will require more maintenance. Commissioner Bray asked if Paul Braxton will no longer be used for baseball/softball with Constantino stating that no one uses it now as a baseball field. Jordan Matthews is using the field as a soccer practice field. Constantino also mentioned that the next sport interest will be lacrosse and a soccer field can easily be converted to lacrosse. Bray asked if there would be enough parking for tournaments in the area of the Paul Braxton Field pointing out there is property for sale parallel to the field that they may want to consider in their proposal.

ORDINANCE ADOPTING LOVES CREEK GREENWAY BUDGET: Brower explained Hobbs Upchurch & Associates has begun surveying work and in order to expend the NCDOT monies, this budget ordinance is required. The ordinance is based on \$250,000 with both federal and state revenues to be used for preliminary engineering. The Love's Creek Greenway Budget Ordinance was unanimously adopted upon a motion from Commissioner Adams and second by Commissioner Price. *(Schedule 6-C)*

CANCELLATION OF SEPTEMBER 3, 2012 BOARD MEETING: Commissioner Bray made a motion to cancel the September 3, 2012 meeting, seconded by Commissioner Price and unanimously carried.

COMMISSIONER BRAY: Commissioner Bray distributed posters of the Jordan Matthews Girls Basketball Championship Team of 2012 and J-M's sport schedule to Commissioners and others given by J-M Athletic Director Sandy Morse.

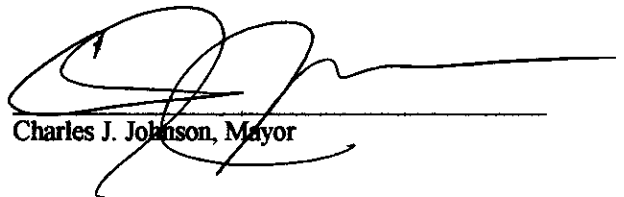
CLOSED SESSION: At 8:00 p.m., Mayor ProTem Grimes made a motion to adjourn from regular session and convene into closed session for the purpose of land acquisition. The motion unanimously carried upon a second by Commissioner Siler. The Board reconvened into regular session at 8:30 p.m.

COMMISSIONERS CONCERN: Commissioner Constantino mentioned that the NC STEP program has façade monies noting that painting has been accomplished at Ace Hardware. Mayor Johnson stated there is \$11,000 left. Constantino asked where the Town is in cleaning up the property where Kenny Clark's tire business is located and also Bobby Smith's business stating that the "junk trucks" do not have license plates on them. Brower advised the Town's junk vehicle ordinance will not apply to a commercial setting; however, the nuisance ordinance has been used before at this same business. If the vehicle is in running condition, the nuisance ordinance will not apply. Regarding the Clark business, the Town cannot make someone paint, but the Town has worked with Kenny in trying to get him to take the tires to the landfill to be recycled on a regular basis. Anything enforced with Kenny Clark will have to be enforced with the other tire businesses as well. Brower mentioned the Board would have to come up with some type of screening ordinance, etc. that would apply to all the businesses equally. Constantino stated "we are talking about all the reasons why we can't do it and I can list several towns in a 50 mile radius that would never let that happen" with Adams pointing out those towns have the ordinance to address the issue. Commissioner Cheek feels it is important to let the businesses know what the Town is considering because they will come back that the Town is not being business friendly. Brower reminded the Board that the Planning Board several years ago looked at screening for appliance and tire businesses. Letters were sent out to make them aware of what the Board was considering which was met with resistance. Mayor ProTem Grimes explained he has tires behind his business and it may look like they are there for 6 months or more; however, they are being recycled every month. Clark is probably doing the same thing; however, his tires are in the front of the business. Because of the economic situation many people want used tires instead of new ones. Commissioner Siler pointed out there are several businesses which have stacks of tires for sale and does not understand why the ordinance needs to be changed now. Constantino stated many surrounding towns the size of Siler City would not tolerate that and would be given an ultimatum to either clean it up or the town would clean it up and then bill the business. He also pointed out that if the junk was cleaned up, there may be new businesses opening up and also restaurants for downtown. The issue cannot be resolved by one person, but Constantino said he could research it and put a plan together stating "if all we're going to do is say it's been like that for 30 years. Why would we want to change it now? Well right now we are trying to encourage new businesses and new things to come into this town and new things require change. They don't happen with the same old same old. You guys know that. Most of you have been here for the last 30 years and some of you are the same ones that told me 30 years ago this was the pride in town and now here we are 30 years later and we have some real serious issues and the same people are here. That scares me". He also stated there are things booming in Raleigh with cranes in the air with buildings and apartment complexes being built, but there is nothing happening in Siler City. Commissioner Price has done some research on

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Smith's business and if Smith had somewhere to take his trucks and equipment and park them, he would do so. The answer is to have equipment removed from the front and then screen the lot so you cannot see the vehicles and equipment. Again, Brower pointed out there are many businesses that have trucks, wrecked cars in storage, etc. that a screening ordinance will affect and that needs to be taken into consideration. Brower stated that with the help of Town Attorney William Morgan, staff will research what other towns have in regards to these type ordinances and give the Board members something to consider. Commissioner Check agrees that these areas can look better, but with the economic tough times, it needs to be handled in a way that will not single out any one person.

With no further business, the meeting adjourned 8:48 p.m.



Charles J. Johnson, Mayor

ATTEST:



Karen C. Alman
Karen C. Alman, Town Clerk