

TOWN OF SILER CITY

The Siler City Town Board of Commissioners met in regular session on **Monday, September 16, 2013** at 7:00 p.m. in the City Hall Courtroom with Mayor ProTem John Grimes presiding. The invocation was given by Commissioner Cheek after which the Pledge of Allegiance was recited by those present.

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

COMMISSIONERS ABSENT: Thomas K. "Chip" Price, III.

TOWN STAFF PRESENT: Town Manager Bryan Thompson, Town Attorney William Morgan, Planning Director Jack Meadows, Police Chief Gary Tyson, Public Works Director Terry Green, Finance Director Tammy Speicher, and Town Clerk Karen Alman.

AGENDA ADJUSTMENTS: Town Manager Thompson asked to add **Item F under New Business: Professional Airport Engineering & Planning Services**. Mayor ProTem Grimes asked the Board to consider adding under **New Business Item 1A: Consider Appointment of Ad Hoc Committee to study the Town's Unified Development Ordinance**. Commissioner Adams asked to move **Manager's Report C: NC Rural Water Rate Analysis to Item G under New Business**.

CONSENT AGENDA: Commissioner Siler made a motion to approve the consent agenda which unanimously carried upon a second by Commissioner Adams.

Item A: Minutes from August 19, 2013 Meeting

PUBLIC COMMENT

Roger Person, 405 W. Elk St., Siler City, NC: Mr. Person stated he was a small business owner in the Historic Downtown Siler City District who attended the September 9, 2013 meeting of the Siler City Planning Board/Board of Adjustment. At this meeting, he realized there are many other citizens that "have given up because of the obstacles they confront when trying to improve their business properties in Siler City". He made the comment that if a person was trying to bring a downtown property to usable condition, the cost would be twice what the building would be valued when completed because of all the rules and regulations. Person asked the Town Board of Commissioners to find ways to help small business owners to help them prosper as they are in neighboring communities pointing out that they are "taking a bigger share of the business income as we continue to fall behind". He asked the Board to "make the necessary regulation changes and together, with new ideas, to move forward".

Mayor ProTem Grimes stated he hopes the formation of the UDO Review Committee and their ideas will help with these issues and make it easier for the small business person to be successful. *(Schedule 9-A)*

PUBLIC HEARING

A. Unified Development Ordinance (UDO) Text Amendment: Primary Residence with Accessory Apartment

Planning Director Jack Meadows advised that Geraldine Kirk came to him proposing to turn an existing detached garage into an accessory residential apartment on her property located on Siler City-Snow Camp Road. Meadows stated that the current UDO is very restrictive pointing out that an accessory apartment can only be 25% of the gross floor area of a single family residence. Meadows used the information from Kirk and explored ordinances in other communities and shared his findings with the Siler City Planning Board. In response to several other citizens expressing concerns about this ordinance, Town staff and the Planning Board are proposing changes to Article X (Permissible Uses) §136 Definitions to read as follows: **A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than fifty (50) percent of the gross floor area of the building nor more than a total of one thousand (1,000) square feet.** They are also proposing changes to Article XI – Supplementary Use Regulations, Part 1 §158 Primary Residence with Accessory Apartment:

- a) Shall meet the setback requirements of the district.
- b) Shall not be located more forward than the front/street façade of the primary residence
- c) Only one accessory apartment shall be allowed per primary residence
- d) One off-street parking space shall be required in addition to what is required for the primary residence.
- e) May be detached from or attached to the primary residence.

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- f) Shall be located on the same lot as the primary residence.
- g) The owner of the property shall occupy either the primary residence or the accessory apartment.
- h) The accessory apartment shall be subordinate, incidental, and accessory to that of the primary residence.
- i) The primary residence shall only be a detached single family residential, one dwelling per lot.

Mayor ProTem Grimes opened the public hearing at 7:25 p.m.

Geraldine Kirk, 2705 Siler City-Snow Camp Rd., Siler City, NC: Ms. Kirk stated when she approached Meadows about what she wanted to do, she felt the ordinance was antiquated and felt some changes needed to be made. She pointed out that parents come to live with children and now young adults are coming back home to live with their parents. Updating the ordinance would allow persons in her situation to offer a place to whomever to live independently and with their privacy. This would be a plus for the community. Kirk stated that it could help increase the tax base and allow the purchase of building supplies locally.

With no further comments, the public hearing was closed at 7:27 p.m.

Grimes directed Board members to the Text Amendment Worksheet. Commissioner Cheek made a motion that the text amendment is consistent with the adopted Land Development Plan and any other officially adopted plan because it meets requirements of the UDO. Upon a second by Commissioner Siler, the motion unanimously carried. A motion that the text amendment is reasonable and in the public interest was made by Commissioner Siler, seconded by Commissioner Cheek and was of unanimous consent. The text amendment was unanimously approved because of changed or changing conditions in a particular neighborhood or community as a whole and to promote and forward the purposes of the adopted Siler City Land Development Plan with the motion made by Commissioner Adams and second from Commissioner Siler. *(Schedule 9-B)*

OLD BUSINESS

- A. **APPLICATION FOR AMUSEMENTS BUSINESS LICENSE:** Antonio Ocampo is requesting to operate an amusements business at 214 W. Eleventh Street, formerly Gray's Bait & Tackle Shop. Under Section 6-43 of the Siler City UDO, the Town Board requested Town Manager Thompson to investigate the compliance of the proposed establishment and the operators regarding applicable local and state laws. Thompson advised his investigation found no activity warranting the recommendation of Staff to consider the denial of the amusements business license. Currently, the Planning Department is in the process of a site review plan and the applicant has submitted a Driveway Permit Application for NC DOT review. Commissioner Adams made a motion to approve the Amusements Business License Application received from Antonio Ocampo, seconded by Commissioner Cheek and unanimously carried. *(Schedule 9-C)*

At this time, Mayor ProTem Grimes introduced Lewis Fadely who is running for the District 5 commissioner seat and Raquel Hermsillo who is running for the District 1 seat.

NEW BUSINESS

- 1-A. **AD HOC COMMITTEE FOR REVIEW OF UDO:** Mayor ProTem Grimes advised there has not been a major study performed on the Town's Unified Development Ordinance in a long time. After the September 9, 2013 meeting of the Planning Board/Board of Adjustment, he is proposing that an ad hoc committee be formed with each Commissioner appointing one person to serve on this committee to study and review the UDO under the guidance of Town Manager Thompson. In response to a question of what the criteria should be for the ad hoc committee, Grimes mentioned a person who has a vested interest in the economy of Siler City such as a person who owns property, persons who live in the ETJ and falls under the "umbrella of the Town's zoning ordinances, a person renting a building for their business". He asked Commissioners to appoint persons that they feel will in the end make good, viable recommendations. He would like the appointments made and approved at the October 7, 2013 meeting. Grimes then asked that this committee have their recommendations to the Planning Board by their first meeting in January who will then study and make recommendations to the Town Board by their second meeting in March. He would then like for the Town Board of Commissioners to act on these recommendations by the first meeting in May 2014. A Town

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Board workshop was scheduled for Monday, September 30 at 7:00 in the upstairs conference room of Town Hall for members to discuss what they would like to see this committee accomplish.

1-A Continued: CAPITAL IMPROVEMENT PLAN: Grimes stated the projections in the Town's Capital Improvement Plan dated July 2006 are no longer valid due to the loss of industry in Siler City. At this time, the Town has an abundance of capacity and does not have to think about increasing the capacity of the Wastewater or Water Plants. After comparing figures from 2000 to 2010 showing an increase in the poverty rate and decrease in median income and per capita income in Siler City, he pointed out he feels the Town Board members should be "very concerned about this UDO" and should help make it easier for existing businesses to stay in business and new industry to want to come to Siler City.

After a question by Commissioner Bray regarding the boundaries of the extra-territorial jurisdiction, Grimes asked Meadows to provide a map to Board members showing the ETJ and information on the special legislation passed in the late 1980's allowing Siler City and Pittsboro to extend their ETJ.

A. SILER CITY RUN TO END HUNGER 5K/COMMUNITY DAY 2013 PRESENTATION BY NC NATIONAL GUARD: Sgt. 1st Class Tyrone Griffith and Sgt. Tasha Jones with the 130th Financial Management Support Unit of the NC National Guard gave a presentation regarding the 5K/Community Day 2013 they are hosting to be held October 12, 2013. Proceeds will go to the West Chatham Food Pantry. Griffith advised that after the run, there will be family friendly activities and educational presentations. They are inviting organizations, businesses and all members of the community to attend and participate. Jones pointed out the Siler City Police Department has been contacted and will be working with them regarding the race which will begin at the Armory on Alston Bridge Road. Insurance has been secured for this event and will be submitted to the Town once they receive it. Commissioner Adams made a motion to approve the request from the 130th Financial Management Support Unit of the NC National Guard to host a 5K Run and Community Day event on October 12, 2013, seconded by Commissioner Constantino and unanimously carried. *(Schedule 9-D)*

B. SILER CITY DEVELOPMENT ORGANIZATION! PRESENTATION, ANN BASS, PRESIDENT: Mrs. Bass pointed out that SC DO! is made up of some of the leadership persons involved with the NC STEP team. This group hopes to "put together the next step to make sure that the efforts that had been started could be continued". SC DO! was incorporated as a non-profit organization in January 2013. They are hoping that the Town Board and other groups will participate to help provide services as a "public/private partnership". Their mission statement is "Act as partner, advisor, participant to support the work of the Town of Siler City, charitable organizations and duly organized citizen committees endeavoring to improve the quality of physical, social, cultural and economic life for all citizens of Siler City". Bass referred to some of the strategies and projects that were visions of the NC STEP Leadership Team and stated SCDO! would like to continue to facilitate some of these visions. This group would like to work with and support Town staff and Commissioners to move the community forward. She advised they do have funds allocated from the STEP program. Bass stated the SC DO! Board of Directors and Officers would like to have an ex-officio member appointed from both the Town staff and Siler City Town Board of Commissioners if the Board would like to do this. She reiterated that they would like to help Commissioners and Town staff to implement projects and programs that will improve the quality of life for citizens.

C. SILER CITY NC STEP COMMUNITY LEADERSHIP TEAM WAYFINDING SIGN PROJECT: Planning Director Meadows advised the NC STEP Leadership Team designated \$16,668 of Implementation Phase funds for wayfinding signs. The committee has selected TRG Sign Company from Hamlet, NC to design, construct and install the signs and directed Board members to two illustrations of wayfinding signs which were designed based on posted speed limit. These signs will be placed on DOT streets and will have to meet their approval. Meadows also provided maps showing the location and listed destinations for each of the proposed signs. He advised that NCDOT staff from Asheboro and Carthage offices have reviewed and preliminarily approved the sign locations, destinations and design. Commissioner Adams pointed out that the Leadership Team did try to get the signs made locally; however, because of DOT requirements, they were not able to do this. A motion to approve the design, listed destinations and location of the proposed wayfinding signs, purchase agreement and DOT encroachment agreement was made by Commissioner Adams. Upon a second from Commissioner Cheek, the motion unanimously carried. *(Schedule 9-E)*

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- D. ORDINANCE AMENDING THE 2013-2014 FISCAL YEAR BUDGET 2014.2:** Town Manager Thompson explained the motor on the high service pump at the Siler City Water Plant was rebuilt several years ago and now the pump has been damaged beyond repair. He advised that to rebuild the pump was actually going to cost more than purchasing a new one by about \$2,000. A motion to approve budget amendment 2014.2 in the amount of \$33,165 to purchase a Paco 6015-2/4 KP split case pump utilizing the existing motor by Charles R. Underwood, Inc. was made by Commissioner Adams, seconded by Commissioner Cheek and unanimously carried. *(Schedule 9-F)*
- E. ORDINANCE AMENDING THE 2013-2014 FISCAL YEAR BUDGET 2014.3:** Thompson stated that there has been on/off frequency of complaints regarding poor water quality and discoloration of water affecting laundry in the area behind Boling Lane Park. In the past 90 days, several citizens in that area have had problems with orange water. Town staff has tested water which shows no bacteria but a high iron content. Town staff has been unable to isolate the problem and has called in engineers, consultants, previous Town staff to put together theories and rule out other issues. There is a process called ice pigging where ice will form to the water pipe and remove any loose deposits and biofilms that are actually in the water lines themselves. Staff plans to perform this process on West Elk, West Dolphin, South Evergreen, West Cardinal and Park Drive. Public Works Director Green has contacted Utility Services who is proposing to apply this method to these water lines at a cost of \$12,000. Green also pointed out that Town staff has blown these water lines by isolating lines and closing valves and forcing water which has helped the problem, but not solved it. Mayor ProTem Grimes referred to an article that was in the Greensboro News and Record regarding the aging of water lines which is a problem in many towns and cities and what they are doing to be proactive. He pointed out that it is important that Siler City be proactive in replacing water lines and heading off problems in the future. Grimes also mentioned that the problems seemed to begin occurring around the time the processing plants closed. Commissioner Cheek made a motion to approve budget amendment 2014.3 in the amount of \$12,000 to allow Utility Services Company, Inc. to clean the water lines in the vicinity of Boling Lane Park using a method known as Ice Pigging, seconded by Commissioner Adams and unanimously carried. *(Schedule 9-G)*
- F. PROFESSIONAL AIRPORT ENGINEERING & PLANNING SERVICES:** Thompson stated that the Siler City Airport Authority is recommending approval of a contract for Professional Airport Engineering and Planning Services for the Siler City Municipal Airport from W. K. Dickson & Company, Inc. He pointed out that there are no fees associated with this contract as it acts as an umbrella agreement for a period of five years and each project will be identified and dollars attached to each of the projects and brought before the Town Board for approval. The first project will be the Airport Area Layout Plan. A motion to approve the Contract for Professional Airport Engineering and Planning Services for the Siler City Municipal Airport between the Town and W. K. Dickson & Co. Inc. was made by Commissioner Adams and unanimously carried upon a second from Commissioner Siler. *(Schedule 9-H)*
- G. NC RURAL WATER RATE ANALYSIS:** Commissioner Adams asked what the average water/sewer cost runs with Public Works Director Green answering about \$45.00 for a single family residence with a usage of 2000 gallons of water. Adams read from Thompson's memo: "Should the Board desire to move toward stronger stability in these operations, Staff would recommend a **long-term incremental approach** that seeks to protect the financial obligations of the town, the integrity of the Town's infrastructure and operations, and the financial interest of the Town's utility customers and community at large" stating that long-term incremental approach is very important. He asked if consideration of an increase should be done now, mid-year or during the budget process? Thompson pointed out that he and Green feel the first step is to have NC Rural Water give a presentation on their findings, what the implications are, what goals are, what is the Town trying to fund and how best to fund these operations. Thompson pointed out there are two sides, what is fiscally sound and the other what citizens can withstand to pay. Grimes pointed out something else to consider is that to be proactive with maintenance of water and sewer lines, it will cost money stating that breakdowns are more costly. Adams stated that it is better to increase in small increments instead of larger ones to prevent "sticker shock". Cheek reiterated that citizens need to be reminded that the water and sewer fund has to support itself and to study the issue and make the right decision. Green stated that several years ago, the Town was

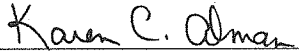
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proactive spending approximately \$100,000 per year replacing sewer lines until the turndown of the economy. There has been over \$1,000,000 of improvements made on sewer lines in the past. Adams asked Green to find out the average for sewer and report back to Town Board members. Rural Water will make their presentation soon.

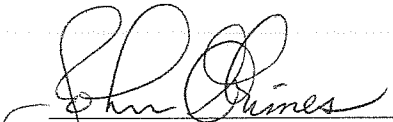
MANAGER'S REPORT

- **Joint Board of Commissioners Meeting Update:** The meeting will be held in the Courtroom of Town Hall at 6:30 p.m.

With no further business, the meeting adjourned at 9:06 p.m.



Karen C. Alman, Town Clerk



John Grimes, Mayor ProTem

