

TOWN OF SILER CITY

The Siler City Town Board of Commissioners met in regular session on **Monday, May 19, 2008** at 7:00 p.m. in the City Hall Courtroom with Mayor Charles L. Turner presiding. Following the recitation of the Pledge of Allegiance, Commissioner Helen Buckner opened the meeting with prayer. Minutes of the regular meeting held May 5, 2008 were unanimously approved by a motion from Commissioner Pat Perry and a second by Commissioner Larry Cheek. Closed session minutes from the May 5, 2008 Town Board meeting were unanimously approved upon a motion from Commissioner Tony Siler and a second by Commissioner Sam Adams.

COMMISSIONERS PRESENT: Sam Adams, Helen Buckner, Larry Cheek, John Grimes, Pat Perry, Tony Siler and Guy D. Smith.

STAFF PRESENT: Town Manager Joel J. Brower, Planning Director Jack Meadows, Police Chief Gary Tyson, Public Works Director Terry Green, Town Attorney William Morgan, Distribution & Collections Supervisor Joseph Smith, and Town Clerk Karen Alman.

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

RESOLUTION OF APPRECIATION TO RETIREE LARRY S. MOFFITT: Town Manager Brower read the Resolution of Appreciation to be presented to Larry Moffitt. Commissioner Buckner made a motion to approve the Resolution of Appreciation for presentation to retiree Larry S. Moffitt with pleasure and gratitude. The motion was unanimously approved upon a second by Commissioner Adams. Mayor Turner called Mr. Moffitt to the front of the courtroom and presented him with the Resolution of Appreciation and a watch on behalf of the Mayor, Siler City Town Board of Commissioners and Town staff. He thanked Mr. Moffitt for his years of service and wished him well in his future endeavors. *(Schedule 9-A)*

CONDITIONAL USE REZONING – DOGWOOD DOWNS – ERNEST F EVANS: Mr. Evans is requesting to rezone approximately 2.23 acres from Residential-10 (R-10) to Residential-6-Conditional Use (R-6-C) and to develop a 7 lot two family residential (duplex) subdivision. This property is located at the southeast corner of West Eleventh Street and North Dogwood Avenue. Town Manager Brower reported a joint public hearing was held on April 7, 2008 with the Planning Board reviewing this matter at their April 14th meeting. Planning Director Meadows pointed out that the minimum lot size for a duplex in R-10 zoning is 15,000 square feet and 9,000 square feet in R-6 zoning. Mr. Evans' proposed lot sizes range from a minimum of 12,311 square feet to a maximum of 15,579 square feet. The number of duplexes allowed on 2.23 acres of land are 11 in R-6 zoning and 6 in R-10 zoning. Evans is proposing 7 duplexes. Meadows then read the Land Development Plan Consistency Statement proposed by staff and the Planning Board as follows:

The Land Development Plan recommends general residential development for the subject property.

1. Promote walkable interconnected neighborhoods and use of sidewalks;
2. Major residential growth is expected in the western portion of the planning region;
3. It is recommended that multifamily residential development be restricted to areas in which sufficient public water and sewer service is available and good access to larger thoroughfares;
4. Multi-family residential is recommended to be no more than 6 units per acre;
5. Continue to promote a variety of housing types to meet the demand of citizens from various economic levels;
6. maintain the integrity and encourage infill development in established residential areas;
7. Encourage mixed-use development;
8. Onsite storm water controls are critical to minimize environmental impacts; and
9. Development should minimize built-upon area.

Meadows noted the application is complete and the proposal meets the development criteria of the Unified Development Ordinance. Town staff recommends approval of this proposal with the following conditions:

1. After the date of approval, a progress report (detailing all work on the project) must be submitted to the Planning Director every six (6) months until the project is completed;
2. Three (3) parking spaces are required for each dwelling unit with more than one bedroom (this is a change from the Planning Board recommendation which is 3 parking spaces per unit). Mr. Evans has requested 2 parking spaces for one bedroom units. This condition will need to be approved by the Town Board.
3. Ten foot conservation easement around the entire perimeter of the property;
4. Install 4' concrete or asphalt sidewalk along North Dogwood Avenue in a location approved by Staff;
5. Install Type C Screen along West 11th Street (US 64) and North Dogwood Avenue;
6. Install onsite stormwater controls per NC DWQ Stormwater BMP Manual;
7. Limit built upon area to less than 70%;
8. Prior to site work applicant must submit an engineer/surveyor approved;
 - a. Major Subdivision Construction Plan for Review;
 - b. Storm water drainage plan;
 - c. Wetland and stream survey;
 - d. Construction details;
 - e. Public water hydraulic analysis;
 - f. NC Division of Land Resources erosion control approval; and
 - g. NC Division of Water Quality stormwater approval.

The Planning Board recommended approving this Conditional Use Rezoning on April 14, 2008.

CONDITIONAL USE REZONING – ERNEST EVANS CON'T: Commissioner Adams stated he asked Mr. Evans at the public hearing if he would limit the number of duplexes to 6; however, Evans wants to place 7 duplexes on this property. Adams asked what condition would ensure that the number of duplexes were locked-in at 7? Meadows answered the application states 7 and the Board is approving what Evans is requesting. Commissioner Cheek stated he is not against this proposal because Evans is a man of his word; however, his only concern is setting precedence in the neighborhood by rezoning to R-6. Town Attorney Morgan noted that each case will be considered on its own merit. There is no legal binding precedence with this rezoning and Evans is requesting to put only one more duplex than allowed in R-10 zoning. Commissioner Buckner asked if Evans will be renting or selling these units? Evans answered they will be rented. Brower directed Board members to the Rezoning Worksheet to consider the Land Development Plan Consistency Statement recommended by Staff and Planning Board detailed above. Commissioner Cheek made a motion to approve the LDP Consistency Statement, seconded by Commissioner Perry and unanimously carried. The next item for consideration is that the request is reasonable and in the public interest because it is providing additional housing opportunities for the Town's citizens. Upon a motion by Commissioner Buckner and a second by Commissioner Siler, the motion unanimously carried. A motion to approve the rezoning to promote and forward the purposes of the adopted Siler City Land Development Plan was made by Commissioner Cheek and unanimously carried upon a second from Commissioner Perry. Brower then directed Board members to the Conditional Use Permit Worksheet. A motion that the application is complete was made by Commissioner Siler, seconded by Commissioner Cheek and unanimously carried. Commissioner Perry made a motion that the application complies with all applicable requirements of the Unified Development Ordinance. The motion unanimously carried upon a second by Commissioner Cheek. A motion to approve the conditions as recommended by Staff and/or the Planning Board was made by Commissioner Buckner and unanimously carried upon a second from Commissioner Siler. The Conditional Use Permit was unanimously approved upon a motion from Commissioner Perry and a second by Commissioner Siler. *(Schedule 9-B)*

BUDGET AMENDMENTS TO FY 2007/2008 OPERATING BUDGET: Brower explained this is a bookkeeping exercise necessary at the end of each year. Finance Director Wanda Ingold stated in her memo that several line items are running higher than anticipated in the original budget due to vehicle accidents, gasoline price increases and the drought expenses related to the emergency waterline that will allow the Town to receive water through Chatham County from the City of Sanford if needed. Ingold has prepared an ordinance amending the 2007/2008 operating budget. Ingold is requesting an increase in General Fund Revenue Line Items by \$60,900 to cover increased expenditures in various line items. Enterprise Fund Revenue Items need to be increased by \$659,307 for the drought surcharge, Rural Center Grant and Fund Balance. A decrease in the Enterprise Fund Revenue Items in the amount of \$543,000 is requested for water charges, sewer charges and BOD surcharge. Much of this is related to the conservation efforts by the citizens during the drought. Some other Enterprise Fund Expenditure Items need to be increased by \$761,500 for professional and contracted services at the Water Plant, Waste Treatment Plant and emergency water expense in the Water and Sewer Maintenance Department. A decrease in the Enterprise Fund Expenditure Items in the amount of \$645,193 is needed for debt service in the Water and Sewer Maintenance Department. Commissioner Buckner asked if the Town is doing what it needs to do to keep from incurring penalties from the DENR? Brower answered he thought the Town was making progress and actively working with negotiating easements to cross the property at the force main, bidding out the wastewater pumping project, and applied for an SOC at the Water Plant. He hopes the Town will not be fined anymore; however, he cannot guarantee this. Mayor ProTem Grimes made a motion to approve the Ordinance Amending the 2007/2008 Operating Budget. Upon a second by Commissioner Perry, the motion unanimously carried. *(Schedule 9-C)*

PRESENTATION OF TOWN MANAGER'S PROPOSED FY 2008/2009 ANNUAL OPERATING BUDGET: Town Manager Brower has prepared this budget with the closing of Pilgrim's Pride in mind. The budget totals \$10,603,577 which is a reduction of 5.8% from last years' budget. He stated the budget is very lean and the Town is not planning to purchase any trucks, vehicles or large equipment. There are two major projects included in the budget. One is a wastewater pumping station at the Water Plant costing \$425,000. There are plans to expand the aircraft parking apron at the airport at a cost of \$230,000. A 90/10 grant is available to the Town for this project with the State responsible for 90% and the Town responsible for 10% totaling \$23,000. The Town will maintain the current tax rate of \$.45 per \$100 of assessed value. Brower is recommending water and sewer rate adjustments as follows:

- Increasing minimum water bill from \$15.00 to \$20.00.
- Increase cost per 1,000 gallons of water from \$3.00 to \$3.25.
- Increase cost per 1,000 gallons of sewer service from \$3.04 to \$3.25.
- Drought Surcharge to remain in place at \$10.00 per account.

Brower stated two people are retiring in the Water and Sewer Maintenance Department and he is requesting that neither of these positions be filled; however, there is some funding available to move personnel around within the department. There are also three part-time positions which will not be funded, two in the Recreation Department and one at the Water Plant. Brower pointed out some of the major changes in the General Fund Revenues as follows:

1. Ad Valorem Taxes will decrease by approximately \$80,000 due to the fact that the Town will be losing tax revenue related to the closing of Joan Fabric and Pilgrim's Pride.
2. The Town has received grant funds totaling \$50,000 from the NCDOT for the construction of sidewalks along DOT maintained roads in Town.
3. There are State Police Grants totaling \$115,300.
4. Fund Balance has been reduced by \$115,948.

Some of the changes in the General Fund Expenditures are as follows:

1. Funds are included for the installation of a video camera security system at City Hall in the Building and Grounds budget.
2. Funds have been included for computers and a projector in the Police Department budget.
3. \$40,960 is requested in the Fire Department for the purchase of various pieces of equipment. Overall spending in this department has been reduced by \$37,846.

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4. The Public Works Department expenditures have been reduced by \$80,140. The annual street paving will be suspended during the FY 08/09 budget.
5. The Sanitation Budget has been increased by \$18,336 due to a 4.1% CPI increase from Waste Management per the Town's contract.
6. Expenditures in the Parks & Recreation Department have been reduced by \$52,899. Two part-time positions will not be funded. Funding is included to replace flooring at the Earl B. Fitts Community Center and install new backboards at Ernest Ramsey Gym.
7. There is no funding available for a cost-of-living adjustment or the Town's performance pay plan under Employee Benefits. Funding is requested for longevity pay, 401-K plan and probationary pay raises for newly hired employees.

Major changes in the Enterprise fund Revenues are as follows:

1. The drought surcharge is projected to bring in funding totaling \$450,000.
2. Water charges are down \$660,627 due to the loss of consumption associated with the closing of Pilgrim's Pride.
3. Sewer charges have been reduced by \$293,269 due to the closing of Pilgrim's Pride.
4. Fund Balance has been reduced by \$71,912 from the current budget.

Some changes in the Enterprise Fund Expenditures are as follows:

1. \$425,000 is budgeted for the installation of a wastewater pumping station to serve the Water Plant. Additional funds are budgeted for a TOC analyzer, four pH meters, four caustic pumps and a spare alum pump to help in treating the water.
2. Two positions will not be funded in the Water & Sewer Maintenance Department – Operations Superintendent and Line Maintenance Mechanic. Funds are included for the annual inflow and infiltration removal project along with the emergency water expense.

BUDGET SUMMARY

General Fund	\$5,486,294.00
Enterprise Fund	\$5,217,283.00
TOTAL BUDGET	\$10,603,577.00

Mayor Turner stated the Town of Siler City is cutting back so there will not be a tax increase. Mayor ProTem Grimes commented that personal budgets are being cut because these are lean times for everyone. Commissioner Buckner is glad the Town is not going up on taxes effecting senior citizens and those that have lost jobs. Commissioner Adams commended Town Manager Brower on the budget as he knows it is a tough job to cut a budget. He would like Brower and the Mayor to express to the employees that the Commissioners appreciate the job they do and hope to be able to fund raises, etc. next year. Commissioner Cheek commented it is a miracle that the Town will be able to maintain as well as it is with the closing of Pilgrim's Pride. He regrets not being able to purchase equipment, etc. Brower directed the Board members to projected rate increases for water and sewer and the comparisons to several other towns. The projected rate increases look favorable when comparing with other similar towns. Mayor Turner stated we all have to share in these lean times and do what we were elected to do.

A workshop for the budget was set for Tuesday, June 3, 2008 at 6:00 p.m.

A motion to hold a public hearing on Monday, June 2, 2008 at 7:00 p.m. for the 2008/2009 proposed budget was made by Commissioner Adams. The motion unanimously carried upon a second by Commissioner Cheek.

At 7:46 p.m., Mayor ProTem Grimes made a motion to adjourn from open session and go into closed session for the purpose of economic development.

The Board reconvened into regular session at 8:06 p.m.

Commissioner Cheek asked Town Manager Brower to send a letter of appreciation to Townsend's for the dinner on May 13th at the Western Chatham Senior Center.

With no further business, the meeting adjourned at 8:07 p.m.


Charles L. Turner, Mayor

ATTEST:


Karen C. Alman, Town Clerk