

Minutes
Work Session
Aberdeen Town Board

July 29, 2010
Thursday, 5:30 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met on Thursday, July 29, 2010 at 5:30 p.m. for their regular Work Session. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Alan Parker, and Walter Wright. Mayor Pro-tem Robbie Farrell and Commissioner Jim Thomas were not in attendance for the meeting. Others in attendance were Town Manager Bill Zell, Town Clerk Regina Rosy, Planning Director Kathy Liles, Fire Chief Phillip Richardson, Deputy Fire Chief Richard Allred, and Attorney T.C. Morphis. Others in attendance were Ray Manieri with All American Associates, Reporter for the Pilot Tom Embrey, and Reporter for the Fayetteville Observer Michael Zenni.

Mayor Mofield called the Work Session to order.

1. Consideration of Site Plan Approval for Fire Department Expansion Project.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the site plan for the Fire Department Expansion Project. Commissioner McMurray stated she would like to see the Fire Department move forward with this project with the Fire Department trading three trees for five trees and a rain barrel. Motion unanimously carried.

2. Loan from Rural Development, US Dept. of Agriculture, in order to obtain sufficient funds for the expansion of the Aberdeen Fire Station.

Manager Zell distributed information to the Board from Allen Hart that Mr. Hart will be presenting to the Board at the Public Hearing on August 9, 2010. Agenda Item as Public Hearing for August 9, 2010.

3. Bethune St. CDBG Project.

a. Resolution Regarding the Signing of a Land Purchase, Lot Line, and Subdivision Agreement for the Bethune St. Redevelopment Project.

b. Land Purchase, Lot Line, and Subdivision Agreement.

Attorney Morphis stated this lot line agreement is needed in order to clear up some uncertainty as to who owns what land. Attorney Morphis stated there will be six lots around the cul-de-sac. Attorney Morphis stated Anna and Henry Byrd have also agreed to sign this lot line agreement. It was determined that the Board did not have all the resolutions they needed for review. Copies were made of each resolution needed for review and distributed to the Board members.

A motion was made by Commissioner Parker, seconded by Commissioner Wright, to approve the Resolution Regarding the Signing of a Land Purchase, Lot Line, and Subdivision Agreement for the Bethune St. Redevelopment Project. Motion unanimously carried.

A motion was made by Commissioner Parker, seconded by Commissioner McMurray, to approve the Resolution regarding the purchase of land from the Sandhills United Church of Christ for the Bethune St. Redevelopment Project. Motion unanimously carried.

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to approve the Resolution Regarding the Purchase of Land from Clifton Seagraves for the Bethune St. Redevelopment Project. Motion unanimously carried.

4. Updates from Attorney T.C. Morphis.

a. Discharge of Caton Debt.

Attorney Morphis stated a judgment was ordered last year regarding the Richard Caton situation and just recently Mr. Caton has filed for bankruptcy. Attorney Morphis stated another lawsuit would have to be filed in order to pursue the judgment. Attorney Morphis stated he received the discharge from the court regarding the judgment for Mr. Caton and he just wanted to keep the Board informed of what had transpired.

b. Status of Unified Development Ordinance.

Attorney Morphis stated the UDO is not completed at this point, but hopefully it will be completed before the end of the year. Attorney Morphis stated he and Planning Director Liles went through the remaining items of the UDO.

The first item of concern was the tree ordinance. Attorney Morphis stated the existing tree ordinance could be used for now until staff has time to work on this item, and the UDO could still pass through the approval process.

Attorney Morphis stated two other areas for review will be sidewalks and churches.

Regarding the zoning map, Planning Director Liles asked if the Board wants the zoning map to be amended prior to adoption of the UDO. Commissioner Wright suggested the zoning map be reviewed at the next meeting.

Attorney Morphis stated the UDO could go before the Planning Board in September, October could be the Work Session with the Board, November could be the public hearing, and December could be the adoption date.

5. Privilege License Ordinance Amendment.

Attorney Morphis stated he was working on a project for another Town, and through his research, realized the Town of Aberdeen has additional remedies available. Attorney Morphis stated he would recommend this amendment to the privilege license ordinance. Agenda Item as New Business.

6. Discussion on Town Brand Options.

Planning Director Liles stated at the last meeting, the plan was to narrow down to three designs so that the public could review the three choices. Planning Director Liles presented the three designs that were selected from the meeting she held with the Mayor and Manager Zell, which they shared with Glen and Maria Nocik. Mayor Mofield stated she thought it would be nice to have decals on the doors of the Town buildings. Commissioner Wright suggested changing the font so that Aberdeen could be read and understood more easily. Commissioner Wright stated he also likes the green color rather than the blue. Commissioner Parker stated blue is the color of the Scottish flag. Commissioner McMurray stated Mayor Pro-tem Farrell had said he wanted the crossties to look more like railroad tracks. Commissioner Parker stated he likes the small town part, but not the urban part. Commissioner Parker stated he liked “shop the crossroads” because 15/501, 211 and Hwy 5 all cross US 1 in Aberdeen. The Board agreed the brand looked better with Aberdeen on the banner going through the crest. The Board suggested adding a train inside the crest so everyone will know they are crossties rather than a big X. Commissioner Wright suggested not having any tagline underneath the emblem. Mayor Mofield stated both ways could be offered to the public. Planning Director Liles stated these designs will be added to the Town website, for citizens to offer input on what they think.

7. Midway Rezoning RZ#10-22.

Planning Director Liles stated because she will not be able to make it to the meeting in August, she would like to schedule this item for public hearing on September 13, 2010.

Commissioner Parker and Commissioner Wright wanted to know why this item was even on the table. PDL stated when rezoning took place in the Midway Community, all of the property owners were not notified. Later the Board rescinded rezoning that had occurred inappropriately. Planning Director Liles stated the rescission of the rezoning also did not take place correctly. Planning Director Liles stated maps were

never really changed after 1992 and there are inconsistencies on the maps. In 2004, the Board was once again approached to change the zoning from R-10 MH to R-10. As a result of this request, the northern half of Midway was rezoned to R-10, but the southern half was omitted. Maurice Holland stated the motion made by Commissioner Marquez, and the revision of the zoning map did not match. Commissioner Parker clarified that parcels of land on the other side of the railroad tracks were zoned R-10. Mr. Holland stated the goal is to make the land zoning consistent so that it can serve the working class people and affordable housing can be built on those properties in the area. Commissioner Parker asked when the new UDO is adopted, does the R-6 stay. Planning Director Liles stated R-6 and R-10 will both stay in place. Agenda Item as Public Hearing on September 13, 2010.

8. Voluntary Annexation #45-010 submitted by Gary and Nora McDonald.
 - a. Accept petition for voluntary annexation #45-010 submitted by Gary and Nora McDonald.
 - b. Accept Clerk's Certificate of Sufficiency.
 - c. Consideration of approval of Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31.

Planning Director Liles stated in the past these annexations took much longer, but now this process could be completed within 30 days if this new process is used by the Town Board.

A motion was made Commissioner Wright, seconded by Commissioner McMurray, to accept the petition for voluntary annexation #45-010 submitted by Gary and Nora McDonald, accept Clerk's Certification of Sufficiency, and approve the Resolution Fixing the Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31, and place the item on new business for August 9, 2010. Motion unanimously carried. Agenda Item as Public Hearing and New Business.

9. Code Clarification for Enforcement Provisions GP#10-01.

Planning Director Liles stated over the years, numerous revisions have been made to the General Code of Ordinances. References are made to Section 10.99 for enforcement penalties, but should refer to Section 10.98 instead. Planning Director Liles stated in order to correct this problem and ensure that enforcement is legal and properly conducted, the General Code Amendments are needed. Agenda Item as New Business.

10. Site Plan Review #10-02 requesting site plan approval to construct a Concession Stand at Southern Middle School.

Planning Director Liles stated the concession stand will be placed in the middle of the athletic field. She stated it is a use by right in the district. Mayor Mofield suggested Planning Director Liles tell the applicant the Board doesn't understand the placement of the concession stand. Planning Director Liles stated if you look at the layout of the lots, a road needs to be vacated, and lots need to be recombined. A recombination map has been submitted by Southern Middle School. Planning Director Liles stated she will approve the recombination at a staff level. The Board requested a representative be at the Board Meeting on August 9, 2010 to explain the placement of the concession stand. Agenda Item as New Business.

11. Revision to the Permitting Fee Schedule.

Commissioner Wright asked if the building inspectors had looked at these fees yet. Commissioner Wright stated it seems like these fees are being changed every other month.

Planning Director Liles stated the Certificate of Appropriateness fee is \$150. Planning Director Liles stated there have been several complaints about the high cost since there is no advertising cost to the Town. Planning Director Liles stated adjoining property owners have to be notified, a staff report has to be written, and the Historic Preservation Commission has to review. But other than that, there are no other costs involved. Planning Director Liles stated the cost would be revised to \$50.

Planning Director Liles stated the zoning permit currently costs \$75 – something that costs more but review time costs less money, which doesn't make sense. If a new building is built and has to receive a zoning permit, then it's only \$50. Fees would be changed to \$50 for all zoning permits.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the revision to the permitting fee schedule. Commissioner Parker asked if this revision will make all permits \$50. Planning Director Liles stated it will only make zoning permits \$50, the other permit fees would remain the same. Commissioner Parker thought it would be nice if all permits cost a standard \$50. Motion unanimously carried.

12. NCDOT Pedestrian Planning Grant Agreement, Committee Membership, and Request for Qualifications.

Planning Director Liles stated this is just the next step in the process. A motion was made by Commissioner Wright, seconded by Commissioner Parker, to approve the NC DOT Municipal Reimbursement Agreement. Motion unanimously carried.

13. Resolution Authorizing the Disposition of Certain Personal Property by Private Sale.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the Resolution Authorizing the Disposition of Certain Personal Property by Private Sale. Motion unanimously carried.

14. Personnel Policy.

Manager Zell stated each Board member has received an updated spreadsheet that includes comments from Commissioner Wright, Attorney Morphis, and also comments discussed during the previous Work Session. Manager Zell stated if the Board has no further concerns, the next step will be to produce a final draft version of the Personnel Policy and bring it back to the Board at the Work Session on September 2, 2010 for final review.

15. Other Business

Manager Zell stated a meeting needed to be scheduled to discuss the DROD. The Board agreed to tentatively schedule August 24th at 5:30 p.m. to discuss the DROD.

Manager Zell stated there will be another event this year for shredding, recycling, etc. Commissioner McMurray stated it would be better to do this event more often than once a year. Manager Zell stated the problem is the cost. Manager Zell stated he could bring the Board's suggestions to the committee in August. Mayor Mofield thought it would be nice for Town employees and Board members to participate as volunteers in this event this year. Mayor Mofield suggested putting this information item in the newsletter.

Planning Director Liles stated the Farmer's Market is going to be moved to the Aberdeen Recreation Station area because only one table has been at the Farmer's Market for the last several weeks and there might be more visibility over at the Aberdeen Recreation Station. The Farmer's Market will be on Saturday mornings from 8:00 a.m. until 12:00 p.m. Planning Director Liles stated the advertisement will be in The Pilot tomorrow. The main issue is the Farmer's Market wants to use the picnic shelter every Saturday from 8:00 a.m. – 12:00 p.m., but Town Staff is concerned about booking up all of the space at the picnic shelter on Saturday mornings. Commissioner Wright requested a history of how much the picnic shelter is used on Saturday mornings.

16. Adjournment.

With no further items for discussion or review, a motion was made by Commissioner Wright, seconded by Commissioner Parker, to adjourn the Work Session. Motion unanimously carried.

Regina M. Rosy, Town Clerk

Elizabeth B. Mofield, Mayor

Minutes were completed in
Draft form on July 30, 2010

Minutes were adopted
August 9, 2010

