

Minutes  
Work Session  
Aberdeen Town Board

April 1, 2010  
Thursday, 5:30 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Town Board met Thursday, April 1, 2010 at 5:30 p.m. for the Work Session. Members present were Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Alan Parker, Jim Thomas, and Walter Wright. Staff members in attendance were Planning Director Kathy Liles, Town Manager Bill Zell, and Town Clerk Regina Rosy. Others in attendance were Reporter for the Pilot Hannah Sharpe, Glenn and Maria Nocik of Nocik Designs and American Classic Signs in Concord, and Ray Manieri with All American Associates.

Mayor Pro-tem Farrell called the meeting to order.

1. Branding the Town of Aberdeen.

Planning Director Liles stated the purpose of branding would be to make the Town of Aberdeen unique and have a presence in the community. Planning Director Liles stated she is requesting the Town move forward with the planning of this project for branding.

Planning Director Liles stated Glen and Maria Nocik, with Nocik Designs and American Classic Signs in Concord, could field questions from the Board about branding. Commissioner Thomas stated when he moved to Aberdeen back in 1977, Aberdeen was called the Shopping Center of the Sandhills. Mr. Nocik stated he and Maria came into the area blind – they had heard of Southern Pines and Pinehurst, but never heard of Aberdeen. Mr. Nocik stated Aberdeen has many advantages over Southern Pines and Pinehurst. Mr. Nocik stated Aberdeen appears to be multi-dimensional. Mr. Nocik stated the goal is to unify the historic downtown with the whole Town, and the Town needs to be revitalized to create a clean slate for Aberdeen. Commissioner McMurray stated there is a lot of history in Aberdeen, and she would like that included in the branding of Aberdeen. Mr. Nocik stated the first step is getting people to the area, and then let them know what Aberdeen is all about. Commissioner Thomas asked what Planning Director Liles needs from the Board for this project. Manager Zell stated the request is to start the process of developing the brand. Commissioner Parker asked if Planning Director Liles was asking for money for this branding project. Planning Director Liles stated she can make it work with the budget she currently has.

Commissioner Wright recommended the Town move right ahead with this process. Mr. Nocik stated he understands the Aberdeen Business Guild is not cohesive and rather negative. Mr. Nocik stated his goal would be to get the Aberdeen Business Guild involved and get the larger retail areas in Aberdeen involved as well. Commissioner Wright stated the unity has been a struggle for years. Mrs. Nocik stated the Town will not be successful unless everyone works together. Manager Zell asked how the unity can be accomplished, because it hasn't worked in the past. Mr. Nocik asked if there is a negative vibe from the town merchants. Planning Director Liles stated there has not been any discussion with uptown merchants in a few years, so the Town is not really sure how they feel. Mr. Nocik stated the Town must first step up to the plate with programs in order to bring movement to the area such as the Farmer's Market and coordinate other activities such as art walks, children involvement, family involvement, festivals, and art contests.

Commissioner Wright asked how much money is in the budget for this branding project. Planning Director Liles stated there is \$6500 left in this line item. Commissioner Wright asked if Planning Director Liles needed additional money beyond the \$6500. Planning Director Liles stated \$6500 would be enough for the remainder of this fiscal year.

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to move forward with the development of a brand for the Town of Aberdeen. Mayor Pro-tem Farrell asked if the Town will have choices to choose from. Mr. Nocik stated there will be decisions needed from the Board. Mr. Nocik stated the Town Board will initiate logos, etc. Manager Zell stated there needs to be buy-in from the community including the Aberdeen Business Guild, citizens, and Town merchants as well. Commissioner Wright stated he would like to see what Mr. and Mrs. Nocik come up with first before citizens and businesses are brought in to discuss this project. Motion unanimously carried.

Mr. Nocik stated he had some homework for the Town Board. Mr. Nocik requested each Board member send in an e-mail explaining what they feel the Town of Aberdeen is. Mayor Pro-tem Farrell asked how long it will be before they move forward. Mr. Nocik stated if he could have all comments by Tuesday next week then that would get them started and within two weeks they will have some concrete ideas by the next Work Session. Mr. Nocik stated the goal is to have the Town set and ready with a brand before doing anything else.

2. Program and Budget Revision to the 2008 CDBG Bethune Street Redevelopment Project.

Mr. Manieri stated he wanted to update the Board on the CDBG Bethune St. Redevelopment Project. Mr. Manieri stated the plan was to buy land, build new houses, rehab six homes, install the sewer, and do the road for a complete redevelopment project. Mr. Manieri stated they have run into problems due to title problems, high appraisals, the boundary lines are nonexistent, etc. Mr. Manieri stated there is a good team in place including Manager Zell, Planning Director Liles and Attorney Morphis. Mr. Manieri stated the program needs to be relooked at due to the various problems.

Mr. Manieri explained the original plan was to do a cul-de-sac and rehab the homes on Bethune St. Mr. Manieri stated the original plan included acquiring five properties along the southeast side of Bethune St. and transferring the five properties to Habitat for Humanity for construction of five new homes. The original plan also included rehab of six existing homes, demolition of one vacant dilapidated house, and extending sewer to the six existing homes and seven new homes. Mr. Manieri stated there is just not enough money budgeted to complete the project as originally proposed. Mr. Manieri stated there are basically two options available to the Town Board for the Bethune St. project. Mr. Manieri stated Plan A would be acquiring the Irene White Property, the Carl Seagraves lot, the Helen Ford and Seagraves property, and Kelly property, and reconfigure all the properties to come out of it with a certain number of building lots (possibly six lots or maybe five lots and a rehab). The next step would be to renovate only two houses. Mr. Manieri stated he felt the low income owner occupants must be served first. Commissioner Thomas asked what would keep the property owner from using the \$17,000 to buy a used BMW. Mr. Manieri stated an agreement would be drawn up before money was disbursed. Mr. Manieri stated he wants all property owners to come out good with the grant and keep everyone happy. Mr. Manieri stated the lower part of the road will have to be given up in Plan A. Mr. Manieri went through the budget to show the Board that this option could take place with the budget allowed. Mr. Manieri stated Plan A would allow for five homes to be built by Habitat and the two manufactured homes to be placed on Bethune St. Mr. Manieri stated tenants whose homes are demolished must be relocated at the expense of the Town for up to five years. Mr. Manieri stated the Town could ask for more money to rehab the other two homes and restrict the paved road and sewer to the White Property.

Mr. Manieri stated the other option would be to tear down the three rental houses, which would mean the tenants would all have to be relocated. The Town would still have enough money to buy the other land further down Bethune St. However, the

owners would all lose rental income and they wouldn't be able to do anything with their property. Habitat for Humanity would probably build six new homes on Bethune St. but not on the cul-de-sac. Mr. Manieri stated the big difference is that \$170,000 would need to be budgeted for relocation for the tenants of the demolished structures.

Planning Director Liles stated one of the concerns was that the Board wanted to rezone that particular area to R-10. Planning Director Liles stated the Board could leave a pocket unchanged to comply with the rezoning, or pull permits before rezoning takes place which would allow for the manufactured homes and still provide for the rezoning to R-10.

Planning Director Liles stated all of the houses in this project failed the minimum housing code. Mayor Pro-tem Farrell asked how much the Bethune St. grant was for. Mr. Manieri stated the grant was for \$850,000. Mayor Pro-tem Farrell clarified that deeds and heirs can't be located, and rehab costs were higher than expected.

Commissioner Thomas stated his only objection is the cost of \$85,000 to renovate one of the homes, and locating two manufactured homes in that area. Commissioners Parker and Thomas stated they would prefer a square house or modular that is wider, versus a long narrow manufactured home. Commissioner Parker stated he has seen one in Sanford for \$49,900 that looks exactly like what he is talking about. Mr. Manieri stated the Board has to make a decision soon on how to proceed.

Commissioner Wright wanted to know if the Town could buy a manufactured home for these people and put them on mobile home lots. Mr. Manieri stated that would not be considered comparable housing. Commissioner Wright asked what Mr. Manieri is wanting from the Board tonight.

Mr. Manieri stated he is requesting the Board to sign a letter to the Division of Community Assistance for a substantial rehabilitation request. Mr. Manieri stated he is also requesting the Board to sign a letter agreeing to the housing of a last resort to provide for manufactured homes for the tenants. Mr. Manieri stated Plan A includes housing of last resort and Plan B relocates tenants as needed and there are no manufactured homes required as a result of Plan B.

The Board did not feel comfortable with Plan A, and definitely did not like Plan B due to having to relocate tenants. Commissioner Parker felt the Town could create other options besides Plan A and B, and he would like the Board to think of other options that might work for this area to fit the Town's objectives. Mr. Manieri stated he would like to proceed with the Irene White Property. Mr. Manieri asked if the Town Board wants to approve the Kelly property at the Board Meeting on April 12, 2010.

A motion was made by Commissioner Thomas, seconded by Commissioner McMurray, to approve the request for substantial rehabilitation for three houses including 301 Keyser St., 103.5 Bethune St., and 120 Bethune St. Motion unanimously carried.

A motion was made by Commissioner Thomas, seconded by Commissioner Parker, to approve the purchase of the Kelly property at 100 Bethune St at the appraisal price of \$17,500. Motion unanimously carried.

A motion was made by Commissioner Thomas, seconded by Commissioner McMurray, to request approval from the State of NC of housing of last resort. Motion unanimously carried.

3. Application for Conditional Use Permit CU#10-01 submitted by Tony Fairley to establish a used car lot at 517 S. Sandhills Blvd. The property is located in the HC Highway Commercial District and is owned by Joe Ussery.

Planning Director Liles stated Joe Ussery wants to allow a renter to put a five-car sales lot on the property. Planning Director Liles stated Mr. Fairley already leases property from Joe Ussery. Planning Director Liles stated this item will be discussed in more detail during the public hearing on April 12, 2010. Agenda Item as Public Hearing and New Business for 4/12/10.

4. Application to Rezone Approximately 18.06 Acres of Property Located at 12588 US 15/501 to O-I Office and Institutional District. Property is owned by the Academy of Moore.

Planning Director Liles stated the Academy of Moore was annexed into the Town on January 26, 2010. Planning Director Liles stated this property was in the county's zoning jurisdiction prior to annexation, therefore the Board needs to consider rezoning the property. Agenda Item as Public Hearing and New Business for 4/12/10.

5. Discussion of Entertainment as an Accessory Use in the DROD.

A motion was made by Commissioner Parker, seconded by Commissioner Wright, to table this item until April 20, 2010 at 5:30 p.m. Motion unanimously carried.

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to table Agenda Item #13, Review of the Personnel Policy, until April 22, 2010 at 5:30 p.m. Motion unanimously carried.

6. Update Regarding the Schloegl Minimum Housing Case.

Planning Director Liles stated the Planning Department started a minimum housing case against the Schloegl property. Planning Director Liles stated Mr. Schloegl has offered to go to the Historic Preservation Commission, meet appearance criteria and safety requirements and convert the structure to a storage building if the Town agrees to not move with the demolition process. Planning Director Liles asked if the Board had any concerns over this issue. Commissioner Thomas wanted to know if anyone currently lives on the property. Mayor Pro-tem Farrell stated there is a modular structure in the woods and it is currently lived in. Commissioner Thomas asked what the other option would be. Planning Director Liles stated the other option would be to demolish the structure. Planning Director Liles felt the request was a good option for the historic property. Mayor Pro-tem Farrell clarified the Town Building Inspectors would monitor the progress of this project. Commissioner McMurray asked if there would be a required timeline for this process. Planning Director Liles stated the minimum housing case requires a timeline to be met.

7. Zoning Determination of Outdoor Storage.

Planning Director Liles stated staff recently received an inquiry regarding use of property in the CI Zoning District to store porta-potties and dumpsters. The potential buyer did not intend to locate an office within this district from which to lease these items, but needed property in the south part of the county to stage construction related materials. Planning Director Liles stated in examining the zoning code to determine if the use is allowed, staff noted that outdoor storage as a stand-alone use is not identified in the code. Planning Director Liles asked the Board if they never intended for this type of storage to be an allowed use or if the Board did not elect to regulate this activity as a specific use since a building is not associated with it. Planning Director Liles asked the Board if they want to allow this use and if not, she will take care of the issue. Planning Director Liles stated if the Board doesn't want to allow this type of use, she will begin letting ones know who aren't in compliance in that particular area. The Board stated they would not mind allowing it with required screening in place when it is associated with a business on the property. Mayor Pro-tem Farrell stated there are two issues - if the supplies being stored are in connection with the business on the same property and the other issue is if there is outdoor storage on the property that is not related to a business on the property. Planning Director Liles stated she is asking for clarification from the Board about this issue – not a vote, just clarification. Commissioners Thomas and Wright stated they are not okay with outdoor storage if there's not a related business on the property. Commissioners Thomas and Wright stated they would be fine

with it if there is a related business on the property, and the Planning Department would require landscaping. Commissioner Wright requested Planning Director Liles to go to the area in question and check if there will be issues for anyone in the area who would be in violation if the Board makes this change. Planning Director Liles stated she will tell the gentleman that it is not an allowed use.

8. Minimum Housing Ordinance for Hinesley Property located at 1402 Crest Dr.

Planning Director Liles stated the Hinesley Property located at 1402 Crest Dr. has been under construction since 1998 and still is not completed. Planning Director Liles stated she would like some direction from the Board regarding issuance of an ordinance for repair, closure or demolition of the property. Planning Director Liles stated Mr. Hinesley is already on notice that he has to keep moving with the completion of the house and if he stopped construction again, then the Board would pursue a minimum housing ordinance. Planning Director Liles stated she is requesting the Board to add this item as New Business on April 12, 2010 and this will hopefully alarm Mr. Hinesley and have him finish construction of the structure. Commissioner Wright left at 7:35 p.m. Agenda Item as New Business.

9. Legacy Lakes Surety.

Planning Director Liles stated Legacy Lakes had put surety in place for build out of the townhomes and Maps 1-5 of Phase 1. The guarantees were required for roads, sidewalks, curb and gutter, and 1" road topcoat. Planning Director Liles stated the bonds are set to expire on April 14, 2010. Planning Director Liles stated Forest City is in the process of developing the necessary estimates to reissue bonds for the work remaining and this information should be available in the Board's agenda packets for the Board Meeting. Planning Director Liles stated the Board will need to adopt a Resolution on April 12, 2010 to release the old bonds and accept new bonds in order to keep the bonds in effect. Agenda Item as New Business.

10. Resolution Authorizing the Town of Aberdeen Clerk to Correct Typographical Errors in the Town of Aberdeen Zoning Code.

Planning Director Liles stated what happened is during the last year many changes have been made to the Zoning Code and Appendix A multi-family regulations, and Attorney Morphis had already used recent numbers. She stated this resolution will allow for cleanup of the numbering system in the Zoning Code. A motion was made by Commissioner Parker, seconded by Commissioner Thomas, to approve the Resolution Authorizing the Town of Aberdeen Clerk to Correct Typographical Errors in the Town of Aberdeen Zoning Code. Motion unanimously carried.

11. Resolution Authorizing the Execution and Delivery of an Installment Financing Contract in the Amount of \$112,000 with RBC Bank (USA) to Finance (4) 2010 Dodge Charger Vehicles for the Police Department.

A motion was made by Commissioner McMurray, seconded by Commissioner Parker, to approve a Resolution Authorizing the Execution and Delivery of an Installment Financing Contract in the Amount of \$112,000 with RBC Bank (USA) to Finance (4) 2010 Dodge Charger Vehicles for the Police Department. Commissioner Parker wanted to know what the interest rate would be. Town Clerk Regina Rosy stated the interest rate is 2.95%. Parker inquired about the \$30,000,000 figure under Section 6. Manager Zell stated that is standard language used for these types of financing agreements. Motion unanimously carried.

12. Resolution Authorizing the Acquisition of a Sewer Easement by Eminent Domain.

Manager Zell stated this resolution is for the Forest Hills Sewer Project. Manager Zell stated the Town can not get up with one particular owner – and hopefully through the Attorney’s office, we can contact the owner. Manager Zell stated a price will be negotiated for the easement and a price will be given. Mayor Pro-tem Farrell asked if anyone is paying taxes on the property – Manager Zell stated that is what we are going to find out. A motion was made by Commissioner Thomas, seconded by Commissioner Parker, to approve a Resolution Authorizing the Acquisition of a Sewer Easement by Eminent Domain. Motion unanimously carried.

13. Review of Personnel Policy.

Item tabled until April 22, 2010 at 5:30 p.m.

14. Other Business.

Manager Zell stated he will bring information to the Board on April 12, 2010 about this – the Town is looking at changing privilege license to gross receipts rather than a flat fee. Manager Zell stated this change would mainly affect big boxes. Manager Zell stated in cities such as Fayetteville, Raleigh, and Charlotte, Wal-Mart is paying more than what the Town of Aberdeen budgets in whole fiscal year. Manager Zell stated this past year Wal-Mart only paid \$440 to the Town of Aberdeen because our privilege license fee is so low. Manager Zell stated gross receipts are used across the state. Manager Zell stated he will discuss this item further on April 12, 2010 and the Board can discuss it at the Work Session on April 29, 2010.

Commissioner Thomas thanked Public Works Director Rickie Monroe and his staff for making the Town Hall area so nice looking and winning the Garden Club Award.

A motion was made by Commissioner Parker, seconded by Commissioner Thomas, to adjourn the meeting. Motion unanimously carried.

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Regina M. Rosy, Town Clerk

Minutes were completed in  
Draft form on April 5, 2010

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Robert A. Farrell, Mayor Pro-tem

Minutes were adopted  
April 12, 2010