

**ABERDEEN BOARD OF COMMISSIONERS
MINUTES
OF
WORK SESSION
MAY 31, 2007 AT 5:30 P.M.**

The Aberdeen Board of Commissioners met Thursday, May 31, 2007 at 5:30 p.m. for their regular Work Session. Members present were Mayor Elizabeth Mofield and Commissioners Pat Ann McMurray, Robbie Farrell and Donna Shannon. Commissioners Arthur Parker and Walter Wright were unable to attend. Others in attendance were Town Manager Bill Zell, Town Clerk Nancy Matthews, Planning Director Ben Warren and Parks & Recreation Director, Leigh Baggs. There were several citizens and developers also in attendance.

Mayor Mofield called the Work Session to order. She stated there were eight Public Hearings scheduled for the June 11th regular Board Meeting. The following was then discussed:

1. Proposed Budget Estimate for Fiscal Year 2007-2008 Pursuant to N. C. General Statutes 159-12 as submitted by the Aberdeen Board of Commissioners.

Town Manager Bill Zell informed the Board that the amount of taxable revenue on property re-valuation came in much higher than expected. He stated he would have to refigure the budget in order for it to be revenue neutral. He stated the Board would have to have a Called Meeting for June 18th in order to present his annual budget message and that the Public Hearing will not be held on June 11th. **Agenda item as Public Hearing.**

2. Application for Conditional Use Permit CU#07-05 submitted by David Dozier for a home occupation (hair salon) to be located at 36104 US Hwy. 1, Aberdeen, N. C.

Planning Director Ben Warren stated that Mr. Dozier has submitted an application for a Conditional Use Permit CU#07-05 for a home occupation (hair salon). He stated Mr. Dozier will have three (3) booths and a total of (3) three employees, including himself. He stated the Planning Board raised several questions. He stated after reviewing, the Planning Board voted unanimously to deny Mr. Dozier's conditional use permit application.

He stated that the Public Hearing on this item has been scheduled for the June 11th regular Board meeting at which time, the Board may consider their action on this item. **Agenda item as Public Hearing and New Business.**

- 3. Application for Rezoning RZ#06-01 submitted by De Anne Jackson (Quality Built Homes) to rezone approximately 7.66 acres located on the north side of Mofield Way/NC Hwy. 211 between Pine Street and Glasgow Street from I-H Industrial Heavy to B-3 Neighborhood Transitional.**

Planning Director Warren informed the Board he had met with Mr. Jackson concerning the rezoning request. He stated that Mr. Jackson wanted to rezone the property to R-10 Residential and that the Board requested to consider rezoning to B-3 Neighborhood Transitional. He stated that due to this change in the zoning, it will be required to hold another Public Hearing. He also stated if there is no opposition to this rezoning, then the Board may consider action on this item at the June 11th regular Board meeting. **Agenda item as Public Hearing and Old Business.**

- 4. Application for Zoning Code Text Amendment ZA#07-03 submitted by Planning Staff to add/amend a Section 155.013 Roadside Stands to the Zoning Ordinance.**

Planning Director Warren stated the Town does not currently have a section pertaining to roadside stands. He stated in order to regulate what products can be sold at these roadside stands, the staff has drafted language to address this issue, especially for the seasonal users. **Agenda item as Public Hearing.**

- 5. Application for Zoning Code Text Amendment ZA#07-04 submitted by Planning Staff to change the maximum number of “household pets” allowed per residence from ten (10) to five (5).**

Planning Director Warren stated this issue was to address residents who have more household pets than the current ordinance allows. He stated the staff has drafted language to be added to each residential zoning district, that no more than five (5) household pets will be allowed on a single premise at one time. **Agenda item as Public Hearing.**

6. Application for Zoning Code Text Amendment ZA#07-05 submitted by Park at Clearwater to amend Section 155.043 R-6 Residential District of the Zoning Ordinance.

Planning Director Warren stated an application has been submitted to revise Section 155.043, Subsection (C) (10) to the Zoning Ordinance to remedy a situation occurring at the Park at Clearwater II. He stated the Board approved an amendment to Section 155.043 adding Subsection (C) (10), ZA#07-01 on March 12, 2007. He stated after the previous amendment was approved, the property was resurveyed and it was discovered that several of the buildings were actually closer than 5 feet from the rear property line. He stated, as a result, the previously approved amendment will not remedy this situation. He stated that staff asks that the Board hold a Public Hearing, under Zoning Code Text Amendment ZA#07-05 and then send the item to the Planning Board for further review. **Agenda item as Public Hearing.**

7. Application for Zoning Code Text Amendment ZA#07-06 submitted by Page Memorial United Methodist Church to amend Section 155.051 Downtown Retail Overlay District of the Zoning Ordinance.

Planning Director Warren stated that Page Memorial United Methodist Church has submitted an application for a zoning code text amendment to amend Section 155.004 of the Zoning Ordinance by adding the definition of an assembly center, and Section 155.051 to include assembly centers as a use permitted on the first story of all buildings within the DROD.

Planning Director Warren stated a Public Hearing has been scheduled for June 11th regular Board meeting and then will forward the proposed amendment to the Planning Board for further review and recommendation. **Agenda item as Public Hearing.**

8. **Petition on request for voluntary contiguous annexation submitted by Crestline Homes for property located at 707 Sun Road, Aberdeen, N. C. for adoption of annexation ordinance with annexation to be effective June 11, 2007.**

Planning Director Warren informed the Board this was the last of the petitions on the cleanup list. He stated in order to complete this process, the Board would hold a Public Hearing for the June 11th Board meeting and then under New Business, adopt the Annexation Ordinance with a effective date of annexation as June 11, 2007. **Agenda item as Public Hearing and New Business.**

9. **Application for Conditional Use Permit CU#07-04 submitted by Forest City Pinehurst, LLC to amend previously approved Conditional Use Permit CU#05-04.**

The Board reviewed this item at length as Commissioner Farrell had concerns pertaining to adequate open space.

After a lengthy discussion and a better clarification/visual sketch of all the open space pertaining to this item, a motion was made by Commissioner McMurray, seconded by Commissioner Shannon, to approve Application for Conditional Use Permit CU#07-04 by Forest City Pinehurst, LLC to amend previously approved Conditional Use Permit CU#05-04 as recommended by the Planning Board. Motion unanimously carried. (See attached)

10. **Application for Text Amendment TA#07-01 submitted by Forest City Pinehurst, LLC to amend the Town of Aberdeen Street Lighting Policy and Guidelines.**

This item was discussed at length. Planning Director Warren stated the Planning Board recommended, as the way the current ordinance reads, to deny this text amendment. **Agenda item as New Business.**

11. Application for General Purpose Amendment GP#07-05 to amend the Town of Aberdeen Code of Ordinances, Section 52.01 – Obstruction of Streets and Sidewalks Prohibited.

Planning Director Warren stated that staff has examined the language contained within Chapter 52.01 of obstruction of streets and sidewalks prohibited, and has drafted new language to address the issue of sidewalk displays within the Town’s B-1 Central Business District.

One of the concerns of the Board was the displaying of merchandise outside before the merchant opened for business. After some review, the Board wanted to add language that, “items for display only during business hours”. **Agenda item as Old Business.**

12. Preliminary Plat Approval PLP#07-01 submitted by J Speight Investments of Moore County, LLC for seven lots on 2.45 acres on the east side of Shepherds Trail, Aberdeen, N. C.

The Board discussed the feasibility of putting in walking trails instead of sidewalks. The Board will be looking at verbiage on sidewalks. **Agenda item as Old Business.**

13. Application for Preliminary Plat Approval PLP#07-02 and Surety Bond approval submitted by Forest City Pinehurst, LLC amending the previously approved Preliminary Plat for Phase 1 of the Legacy Lakes Subdivision.

Item was discussed at length. Item will be on the agenda for action. **Agenda item as Old Business.**

14. Application for Site Plan Review SP#07-05 submitted by Oakley Collier Architects, P.A. for the Aberdeen Lake Park Building.

The Board briefly reviewed and discussed the site plan for the new Lake Park Building.

A motion was then made by Commissioner McMurray, seconded by Commissioner Farrell, to approve the Application for Site Plan Review SP#07-05 as submitted by Oakley Collier Architects, P. A. for the Aberdeen Lake Park Building. Motion unanimously carried.

14A. Award bid for construction of new Parks & Recreation Facility.

Manager Zell informed the Board of the bid opening and bid tabulations in regard to the new Lake Park Facility which was held on Tuesday, May 22, 2007 at 3:00 p.m. at the Town Hall. He stated he had placed a copy of a letter received from Tim Oakley with their recommendation of awarding the project to the low bidder, Sedberry Construction, Inc., with a bid amount of \$1,229,000.00. Also, in addition to the base bid, Mr. Oakley recommended accepting Alternate No. C-1 (Paving, parking, curb and sidewalk-add \$124,800.00). He stated the base bid and the selected alternates equal an amount of \$1,353,800.00.

After some discussion, a motion was made by Commissioner McMurray, seconded by Commissioner Farrell to award to the low bidder, Sedberry Construction, Inc., the construction of the new Aberdeen Lake Park Facility in the amount of \$1,353,800.00. Motion unanimously carried.

15. Petition for voluntary contiguous annexation submitted by Katherine Verbal for property located on James Street, Aberdeen, N. C.

Planning Director Warren stated this annexation request is one of the last of the annexation requests that were given the breaks on utilities. Agenda item as New Business.

16. Resolution of Support for the Clean Water Act of 2007.

Manager Zell stated he had received a letter from Billy Ray Hall, President of the Rural Center, stating his concern of a statewide need to correct urgent problems with existing water and wastewater infrastructure. Manager Zell stated the Rural Center requests that the Board adopt a Resolution of Support for the Clean Water Act of 2007. Agenda item as New Business.

17. Resolution of an Application to Participate in the North Carolina Small Town Main Street Program 2007-2008.

Manager Zell stated that All American Associates will be submitting an application to the state in order to participate in the North Carolina Small Town Main Street Program for 2007-2008. He stated that All American

Associates will be administering this grant for the Town. He stated this Resolution is for submitting an application to be considered for funds would be used for downtown revitalization which would be great for Aberdeen. **Agenda item as New Business.**

18. Western Connector Feasibility Study.

Manager Zell informed the Board of a letter in which he received pertaining to the Western Connector Feasibility Study in which the Board received a copy of the letter. He stated the Village of Pinehurst has hired a consultant to prepare a preliminary functional design of roadway within the recommended corridors. He stated the consultants will draw up plans for Pinehurst and will include Aberdeen's roadway design if Aberdeen so desires.

After some discussion, the consensus was that Aberdeen is totally opposed to this feasibility study and will not participate.

19. Other Business

a. Historic Commission Appointment.

Planning Director Warren informed the Board that Ms. Sharon Steele has informed staff that she no longer wishes to serve on the Aberdeen Historic Commission due to work/scheduling conflicts. He stated as a result, the staff advertised the vacancy and accepted applications to fill this position. He stated to date, only one application had been received. He stated Ms. Aldena Frye has expressed interest in serving on this Commission. He stated that staff feels Ms. Frye would be a tremendous asset to the Commission and staff requests the Board to move forward with appointing Ms. Frye as the newest member of the Historic Commission. He stated this appointment would be for a term of four (4) years.

Mayor Mofield requested that other names be submitted. Mr. Warren informed Mayor Mofield that staff had advertised and Ms. Frye was the only resident to express interest. **Agenda item as New Business.**

- b. Manager Zell asked the Board to consider not holding a regular Board meeting in July. After some discussion, the Board's consensus was not hold a regular meeting in July.

20. Adjourn

With no further items for review or discussion, motion was made by Commissioner Farrell, seconded by Commissioner Shannon, to adjourn the meeting. Motion unanimously carried.

Nancy M. Matthews, Town Clerk

Elizabeth B. Mofield, Mayor

**These minutes prepared and
completed on June 1, 2007**

**These minutes were
adopted on August 13, 2007**