

Minutes  
Regular Board Meeting  
Aberdeen Town Board

May 14, 2012  
Monday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, May 14, 2012 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Jim Thomas, Alan Parker, and Walter Wright. Mayor Pro-tem Robbie Farrell was not in attendance for the meeting. Staff members in attendance were Planning Director Kathy Liles, Senior Planner Pam Graham, Town Manager Bill Zell, Police Chief Mike Connor, Officer Josh Wilhelm, Officer Jimmy Covington, and Town Clerk Regina Rosy. Others in attendance were Candace Hitchcock, Reporter for the Pilot Tom Embrey, Charlie Needham, John Frye, Elease Goodwin, Sheila Murphy, Bob Stafford, Maurice Holland, Jr., and Maurice Holland, Sr.

1. Call to Order

a. Pledge of Allegiance.

Mayor Mofield asked everyone to please stand for the Pledge of Allegiance.

2. Public Hearings

a. Conditional Zoning CZ #12-01 as requested by Sheila Murphy representing Genesis Global LLC for property located at 354 Parkway Drive to zone the property C-I-C and add child care center to the allowed uses for property identified by LRK# 20040417 in the Moore County Tax Registry.

Mayor Mofield opened the public hearing on Conditional Zoning CZ #12-01 as requested by Sheila Murphy representing Genesis Global LLC for property located at 354 Parkway Drive to zone the property C-I-C and add child care center to the allowed uses for property identified by LRK# 20040417 in the Moore County Tax Registry.

Planning Director Liles stated conditional zoning districts allow for the establishment of certain uses, which because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. Planning Director Liles stated this property is located adjacent to Kingswood Nursing Home.

Planning Director Liles stated the property is 1.1 acres in size, and is not in any regulatory overlay district. Planning Director Liles stated the proposal would convert the building on the property to a child care center, but it was most recently used by Stafford Land Company as a construction office. Planning Director Liles stated in looking at the analysis, it is important to consider the following: it would keep all uses in the commercial light district, the recent doubling of Aberdeen population, numerous requests for home day cares, no requests for centers, the needed service, proximity to residential growth areas, and will serve from 45-100 children. Planning Director Liles stated the traffic impact is low, and the noise impact is more suitable to C-I than to residential districts.

Planning Director Liles stated recommended conditions are as follows:

- The applicant must conduct a community meeting with mailed notice complying with the requirement of the UDO prior to the Public Hearing by the Board of Commissioners.
- The applicant shall submit a list of site improvements to the Planning Department that depict the required fence and handicapped parking as well as demonstrate layout of adequate parking for required staff and drop-offs.
- Signage will require separate zoning approval.
- A copy of the license as issued by the Division of Child Development, NC Department of Health and Human Services shall be provided to Planning and Inspections before operation begins.
- Staff is directed to enter Conditional Zoning District C-I-C for property identified by LRK #20040417 and 354 Parkway Lane on the official zoning map and add a label for CZ #12-01 and add an additional use "child care center" to this C-I-C district.

Planning Director Liles stated the Planning Board found that CZ# 12-01 is not inconsistent with the adopted long range plans. The Planning Board determined that CZ #12-01 does have an acceptable level of impact on both the immediate area and the community as a whole. The Planning Board recommended approval of CZ #12-01 subject to staff recommended conditions.

Sheila Murphy stated there is a great need for child care services in this area, and she is ready to provide this service. Ms. Murphy stated she contacted 3 out of 5 of the people in her area regarding this use and none of them had an issue with a child care center. Mayor Mofield asked Ms. Murphy if she has operated a daycare center before. Ms. Murphy stated she has operated a group home care center for children. Ms. Murphy stated her goal is to enroll 45 children, but the maximum would be 100 children which would require expansion of the building. Mayor Mofield asked which age groups

she would care for in the child care center. Ms. Murphy stated infancy to age 12 would be the ages she would offer care for. Mayor Mofield asked if there are 45 children, how many employees will there be? Ms. Murphy stated 3-4 workers would be hired, depending on the number of children enrolled. Ms. Murphy stated she spoke with residents of Berkeley Community. Mr. Stafford stated he plans to do the up-fit for Ms. Murphy's building. Mr. Stafford stated preschool registration is coming up in about a month, and he would like to ask for consideration for approval tonight. Mayor Mofield asked what the child care center hours will be. Ms. Murphy stated 5:00 a.m. – 6:00 p.m. will be the operation hours.

With no further discussion, Mayor Mofield closed the Public Hearing on Conditional Zoning CZ #12-01.

- b. Conditional Use Permit CU #12-02 for Retail Sales with High Volume Traffic Generation for an application filed by Moseley Real Estate Advisors affecting land currently owned by Huntley Family Limited Partnership and Bonnie McPeake.

Mayor Mofield opened the public hearing Conditional Use Permit CU #12-02 for Retail Sales with High Volume Traffic Generation for an application filed by Moseley Real Estate Advisors affecting land currently owned by Huntley Family Limited Partnership and Bonnie McPeake.

Mayor Mofield stated because the Planning Board has not been provided with enough information, she would recommend delaying this item to June 11, 2012. A motion was made by Commissioner Parker, seconded by Commissioner Wright, to continue the public hearing on Conditional Use Permit CU #12-02 to June 11, 2012 at 6:00 p.m. Motion unanimously carried.

### 3. Setting of the Agenda

A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve the setting of the agenda as presented. Motion unanimously carried.

### 4. Approval of the Consent Agenda

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held except on request by a member of the Board of Commissioners.

- a. Minutes of Regular Board Meeting on April 9, 2012, Closed Session on April 9, 2012, Special Called Meeting on April 23, 2012, Work Session on May 3, 2012,

Special Called Meeting on May 8, 2012, and Special Called Meeting on May 10, 2012.

- b. Resolution Accepting Financing Terms for 4 Police Vehicles through BB&T.

A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to approve the consent agenda as presented. Motion unanimously carried.

## 5. Informal Discussion and Public Comment

- a. Mayor Mofield stated Gene Currie has installed the updated audio and recording equipment in the rotunda and conference room which has greatly improved the audio.
- b. Mayor Mofield read the Police Memorial Week Proclamation to the public.
- c. Candace Hitchcock stated there seems to be a problem with speeding within the Town. Ms. Hitchcock stated she is concerned for the safety of herself and others that live in her area. Ms. Hitchcock stated she believes until tickets are written, and speed limits are enforced, nothing is going to change. Ms. Hitchcock stated she called the Police Department and the Town Hall a number of times, and nothing has changed. Mayor Mofield stated on Main Street there is a big problem with people coming off of NC Highway 211 and coming onto Main Street at high speeds. Ms. Hitchcock recommended speed bumps be installed to slow down the traffic. Commissioner McMurray stated on Friday and Saturday the Police Department was on Main Street and they wrote 10 tickets on just Main Street alone. Commissioner McMurray stated road bumps can not be installed on state roads. Ms. Hitchcock stated over 80% of the cars going on Maple Street are going over the speed limit.

Charlie Needham stated he is now a very big supporter of stop signs. He stated until there was a 4-way sign put up near his house, he did not realize how useful they could be. Chief Connor stated the Town talked to NC DOT about putting a stop sign on Main Street, and NC DOT was not willing to put one up. Elease Goodwin stated people coming from Raeford Rd., take Bethesda to Maple and they really are flying through that area going up to 65 mph. Mayor Mofield encouraged the police to patrol the area more often during the peak hours of the day (early morning and late afternoon). Ms. Hitchcock requested computerized equipment be out there that can monitor traffic speeds and violate prosecutors.

Chief Connor introduced Jimmy Covington as a new Police Officer with the Aberdeen Police Department. Chief Connor stated Jimmy has 7 years of experience with the Town of Hamlet.

6. Financial Report

Manager Zell stated the General Fund is \$428,063 in the black. Manager Zell stated the sound system came in at \$10,430, which was a great price.

7. Old Business

None

8. New Business

- a. Service Mark and Trademark License Agreement between the Town of Aberdeen and Bill Marts.

Manager Zell stated this item is to consider allowing Bill Marts to create products with the Town of Aberdeen Police Department and Fire Department logos and sell to those department employees only.

A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve Manager Zell authorizing the Service Mark and Trademark License Agreement between the Town of Aberdeen and Bill Marts. Commissioner Parker asked about the fee of \$10, and Manager Zell stated it is a one-time fee. Motion unanimously carried.

- b. Appointment to the Historic Preservation Commission.

Commissioner McMurray stated a fourth applicant's name has been submitted for review. Commissioner McMurray stated she would like to request this item be postponed to the June 11, 2012 Board Meeting.

- c. Resolution for Adoption of the Bicycle Transportation Plan.

Planning Director Liles stated the vision of the bicycle plan is to become a bicycle friendly community by developing a combination of infrastructure, education programs, and policies that support and encourage bicycling as a safe means of transportation to schools, downtown retail areas, and healthy foods, and also offers connections to neighboring communities.

Planning Director Liles stated the plan development is a spin off of the Pedestrian Plan.

Benefits of a bicycle plan are health and fitness, environmental conditions, decreased traffic congestion, and a sense of community.

Planning Director Liles stated existing facility strengths are narrow paved shoulders, neighborhood roads with low speed limits and low volumes, new neighborhoods (opportunity), Lake Park, sewer and railroad easements. Weaknesses include lack of connectivity, no bike parking, and bicyclist behavior.

Planning Director Liles stated road network strengths are the residential street network, Poplar and Main Streets, and clear and level shoulders. Weaknesses include connectivity issues, high volume high speed roads, narrow roadways and lanes, lack of curb and gutter, and roads designed for automobiles only.

Recommended facility improvements include sharrows, bike lanes, paved shoulders, multi-use trails, multi-use sidepaths, and parking.

Planning Director Liles displayed a photo of recommended parking for bicycles and a map of recommended bike networks.

Planning Director Liles stated as the Board considers the report tonight, to also consider the changes presented in the map as well. Planning Director Liles stated the Planning Board recommended unanimously to approve the plan subject to the last revision requested by the Bicycle Steering Committee to add access to Colonial Heights Park.

Commissioner Parker stated he likes the connectivity, and bicycle parking is a definite need. Commissioner Parker stated bike lanes and things of that nature would be nice to see. Commissioner Parker stated he feels this is a step in the right direction.

A motion was made by Commissioner Parker, seconded by Commissioner McMurray, to approve the Resolution for the Bicycle Transportation Plan. Commissioner Wright asked how much this project will cost. Planning Director Liles stated it would be good to work on additions for the bicycle plan, as other projects are occurring. Planning Director Liles stated by taking advantage of opportunities when they are presented, it will minimize costs. Commissioner Wright asked how many miles are going to be planned for off-road bike paths. Planning Director Liles stated at least six miles are being planned for both bike and pedestrian off-road improvements. Motion unanimously carried.

- d. Resolution Confirming that the Town of Aberdeen and Habitat for Humanity have Sufficient Funds Necessary to Complete Infrastructure Improvements

for the Midway Gardens Subdivision and the Town Remains Committed to Providing Said Funds.

Planning Director Liles stated the purpose of this resolution is to provide sufficient surety to provide water, sewer, streets, etc. to the Midway Gardens Subdivision. Planning Director Liles stated the Town has received a CDBG grant in the amount of \$250,000 for the Midway Gardens project. Planning Director Liles stated a SHOP grant has been awarded to Habitat in the amount of \$219,000. A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve the Resolution Confirming that the Town of Aberdeen and Habitat for Humanity have Sufficient Funds Necessary to Complete Infrastructure Improvements for the Midway Gardens Subdivision and the Town Remains Committed to Providing Said Funds. Motion unanimously carried. Manager Zell stated the \$250,000 is all federal money for this project.

- e. Ordinance Ordering the Town of Aberdeen Building Inspector to Proceed to Effectuate the Purpose of the Aberdeen Minimum Housing Code and General Statute 160A-443 for property having street addresses of 129 and 135 East Oak Street, Aberdeen, NC.

Planning Director Liles stated with this particular property, the Building Inspector has been onsite and determined the buildings to be highly unsafe. An Administrative Hearing was held, and property owners stated they would like to work with the Town to have the buildings taken down, and place a lien against the property. Senior Planner Graham stated salvageable items will be saved and could be marketed. Planning Director Liles stated the Fire Department is not willing to burn these houses due to the safety of the structures. A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve an Ordinance Ordering the Town of Aberdeen Building Inspector to Proceed to Effectuate the Purpose of the Aberdeen Minimum Housing Code and General Statute 160A-443 for property having street addresses of 129 and 135 East Oak Street, Aberdeen, NC. Motion unanimously carried.

- f. Ordinance Ordering the Town of Aberdeen Building Inspector to Proceed to Effectuate the Purpose of the Aberdeen Minimum Housing Code and General Statute 160A-443 for property located at 169 Roseland Road.

A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve an Ordinance Ordering the Town of Aberdeen Building Inspector to Proceed to Effectuate the Purpose of the Aberdeen Minimum Housing Code and General Statute 160A-443 for property located at 169 Roseland Road. Motion unanimously carried.

9. Other Business

Manager Zell stated the Safety & Health Day will be on Wednesday, May 16, 2012. Health screenings will begin at 7:30 a.m. and lunch catered by Texas Roadhouse will begin at 12:00 p.m., and all Board members are invited to attend.

Planning Director Liles stated there will be some changes at The Depot over the coming week and for the Board to keep their eyes peeled.

Mayor Mofield stated an Aberdeen native, Ann McKeithen, will be coming to the Country Book Store, to present her new book "Listening to Color" and her research to the public.

10. Adjournment

With no further discussion, a motion was made by Commissioner Wright, seconded by Commissioner Thomas, to adjourn the meeting. Motion unanimously carried.

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Regina M. Rosy, Town Clerk

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Elizabeth B. Mofield, Mayor

Minutes were completed in  
Draft form on May 14, 2012

Minutes were adopted  
June 11, 2012