

Minutes

Work Session

Aberdeen Town Board

May 30, 2013 Robert N. Page Municipal Building
Thursday, 5:30 p.m. Aberdeen, North Carolina

The Aberdeen Town Board met Thursday, May 30, 2013 at 5:30 p.m. for the Work Session. Members present were Mayor Elizabeth B. Mofield, Mayor Pro-tem Robert A. Farrell and Commissioners Walter Wright and Pat Ann McMurray. Commissioners Alan Parker and Jim Thomas were not present for the meeting. Staff members in attendance were Parks & Recreation Director Leigh Baggs, Senior Planner Pam Graham, Planning Director Kathy Liles, Town Manager Bill Zell, and Town Clerk Regina Rosy. Shane Sanders with SNS Engineering was also in attendance.

Mayor Mofield called the meeting to order at 5:32 p.m.

1. An Ordinance to Regulate the Operation of Golf Carts on Public Streets within the Town of Aberdeen.

Manager Zell stated Chief Connor has been working on this issue for a while with Attorney T.C. Morphis. Manager Zell stated this ordinance would allow golf carts to be used on the roads in Legacy Lakes. Agenda item scheduled for New Business on 6/10/13.

2. Resolution Regarding Designation of an Official to Make Recommendations to the NC Alcoholic Beverage Control Commission on ABC Permit Applications.

Manager Zell stated Chief Connor is wanting to change the language to make it be generic for "Chief of Police" rather than specific to Michael Connor. Agenda item scheduled for New Business on 6/10/13.

3. Update from Parks & Recreation on PARTF Grant and Park Signage.

Parks & Recreation Director Leigh Baggs updated the Board on the status of the PARTF Grant received in the amount of \$252,000.00 for the acquisition and development of Ray's Mill Pond Park. Baggs stated the Town will receive \$65,000 for the acquisition for the Ray's Mill Pond Park property. Baggs stated the RFQs were sent to 10 firms and their qualifications are due tomorrow by 5:00 p.m. Staff and members of the Ray's Mill Pond Park Committee and the Parks & Recreation Advisory Committee will meet on Wednesday, June 5th to review the RFQs. Plans are to select 3-5 firms to interview for this project. Interviews will be scheduled with the Board and a firm selected during the week of June 10th or 17th.

Commissioner Wright asked about the status of the fence on the Ray's Mill Pond Park land. Manager Zell stated Rickie Monroe is working on getting a quote.

Baggs discussed the scope of the work to be performed which includes the following components to the project: pond improvements (fishing pier, draining, and dredging), environmental education center, picnic shelter (tables, grill, trash receptacles), trails, scenic overlooks, signage, parking, and placing utilities underground.

Baggs displayed a design for a sign for Aberdeen Lake Park. Mayor Pro-tem Farrell felt that Design I would be hard to read as the public is driving down US Highway 1. Mayor Mofield stated she felt that Design II was too flat. Planning Director Liles stated she felt like the issue may be that the signs are built for pedestrians, not driving traffic. Commissioner McMurray stated she likes Designs II and III.

Baggs stated she will e-mail some more designs for the Lake Park to the Board next week either Monday or Tuesday.

4. Resolution Appointing Pamela M. Graham as one of the Review Officers for Moore County.

Planning Director Liles stated there are certain documents that have to be signed off on such as maps, surveys, final plats, etc. and a statement has to be signed by a Review Officer for Moore County. Liles stated several years ago she was appointed as a Review Officer, which saves a considerable amount of time. Liles stated since she is leaving employment as Planning Director, the request is to consider appointing Pamela M. Graham as one of the Review Officers for Moore County. A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve a Resolution appointing Pamela M. Graham as one of the Review Officers for Moore County. Motion unanimously carried.

5. Conditional Use Permit CU #13-01 for a 152-lot subdivision on property owned by J. Speight Investments, LLC.

Planning Director Liles stated the Planning Board took this item up during the last Planning Board meeting and they have asked for additional information. The Planning Board recommends that the Board of Commissioners consider scheduling a joint public hearing on 6/10/13. Agenda item scheduled for Joint Public Hearing on 6/10/13.

6. Consideration of scheduling a Public Hearing for Conditional Zoning CZ #13-02 for property owned by Greg Allen.

Planning Director Liles stated there has been recent legislation to potentially rezone individual parcels of property within Aberdeen. Liles stated staff has been trying to work with Mr. Allen on this issue. Liles stated Mr. Allen's concern is that when he originally

purchased Southwick Apartments, it was not within the jurisdiction of the Town of Aberdeen. Aberdeen annexed the property, then rezoned the property, and then took multi-family designation out of the zoning. Mr. Allen feels that during the UDO public hearing, his message was not received, and Mr. Allen wants the opportunity to put multi-family uses on the property.

Planning Director Liles stated she does not know that this project is ready to move forward to public hearing at this point. Mr. Allen has requested this project be a town sponsored rezoning. Liles stated the legislation did not make crossover, which means it is left in committee. Mr. Allen felt like the property would have been a use by right for multi-family as of 2003, but staff researched and feels it would have actually been a conditional use.

Planning Director Liles stated staff is trying to negotiate with Mr. Allen in good faith and the conditions under consideration are as follows:

- Property to be rezoned to R-6-10-C.
- Area subject to rezoning may be developed or redeveloped for multi-family use.
- Conditional zoning shall control and a conditional use permit is not required.
- Prior to issuance of building permits, a site plan must be submitted that meets the UDO with the exception of the following:
 - a. Density is limited to 8 units per acre.
 - b. A minimum of 2 exterior design features of the applicant's choosing will be provided.
 - c. A maximum of 3 parking spaces per unit may be provided.
 - d. Parking lots may be smaller than, but shall not exceed 16 spaces. Shade trees are not required.
 - e. The 500 foot separation requirement of 152.163.14(C) is waived.
 - f. The landscaping requirements of 152.163.14(D) are waived. 25' undisturbed vegetated buffer around the perimeter of the project, including the lake, shall be provided.
 - g. At a minimum, open space shall be provided at a rate of 435 square feet per unit with no dimension less than 40 feet (7.6% of the site). If the open space

exceeds the minimum required, stormwater control measures may be incorporated into the open space.

- h. Sidewalks will be provided connecting the units to their parking lot. Sidewalks will not be required between units, between parking lots or along Saunders Blvd.
- i. Requirements for bus shelters, bicycle lanes and bicycle racks are waived.
- j. Low impact stormwater design with best management practices shall be incorporated.
- k. New development or redevelopment is required to connect to public water and sewer.

Planning Director Liles stated Mr. Allen agreed to limit the density to 8 units per acre, which is consistent with the UDO. The UDO requires a minimum of 2 exterior design features and the applicant is asking for the ability to choose what those features will be. The negotiated position on parking spaces was 3 spaces per unit.

Mayor Pro-tem Farrell stated the Town negotiated into this position – because Mr. Allen’s property was originally for multi-family, and somewhere along the line the Town took out the multi-family zoning. Mayor Pro-tem Farrell stated Mr. Allen feels like adverse action was taken against him. Mayor Mofield asked why the zoning could not just be changed to multi-family, and make Mr. Allen meet all requirements of multi-family zoning. Liles stated Mr. Allen has now obtained support from Jamie Boles, and Jamie Boles introduced legislation supporting rezoning the property back to the requirements of 2003. Mayor Mofield stated she thinks this information needs to be made public. Manager Zell stated he supports changing the zoning to R-6, and make Mr. Allen meet the requirements for R-6 zoning. Mayor Mofield stated if the Board is wimpy, then there will be more requests such as this. Mayor Mofield stated she believes the Town needs to uphold the UDO requirements, since that is in the best interest of the public. Mayor Mofield stated she is not in favor of scheduling a special called meeting. Mayor Mofield suggested scheduling a public hearing for the rezoning for the August Board Meeting. Mayor Mofield stated she feels that Jamie Boles is doing this to gain support from a constituent. Mayor Mofield stated Jamie Boles has done a lot for the Town, but she does not believe that ethics are involved in this issue at all. Mayor Mofield stated she will be glad to contact Jamie Boles and let him know the Town’s position on this issue, which is that the Town is willing to rezone Mr. Allen’s property to R-6-10 with the current zoning stipulations for multi-family regulations.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to ask the Planning staff to begin the process of rezoning the land belonging to

PS Management Inc. to current zoning stipulations for R-6-10 for multi-family regulations, and set a public hearing for the August 12, 2013 Board Meeting. Motion carried 3-0. Agenda Item scheduled for Public Hearing on 8/12/2013.

7. Contract for Long Range Planning Services and Technical Support.

Manager Zell stated he and Planning Director Liles have worked on a contract for long range planning services and technical support. Manager Zell stated the plan is to have Liles work on the long range plan as an independent contractor. Manager Zell reviewed the contract which provided details defining the scope of work to be performed. Commissioner Wright questioned why Liles is being set up as an independent contractor, versus an employee. Liles stated she is looking for the flexibility of working as an independent contractor. Mayor Mofield and Commissioner McMurray recommended cancelling All American Associates for grant writing, since Liles will be helping in that area.

A motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell, to approve the Contract for Long Range Planning Services and Technical Support as presented. Motion unanimously carried.

8. Manager's Budget Message and Proposed FY 2013-2014 Budget.

Commissioner McMurray wanted to be sure that All American Associates was removed from the budget. Agenda Item scheduled for Public Hearing on 6/10/2013.

9. Other Business.

- a. Manager Zell presented information on property owned by the American Legion (Moore County LRK # 00045996) that is currently for sale. By unanimous acclamation, the Board of Commissioners approved the purchase of the property for \$15,000.00.
- b. Southwest Interceptor update – Rickie has had no luck getting Joe Ussery to call him back. Manager Zell stated the cost for the easement from Joe Ussery has decreased from \$18,000 to \$15,900. Mayor Mofield stated she spoke to Mr. Ussery and asked him to donate the property to the Town. Mayor Mofield stated she will contact Mr. Ussery again about this issue.
- c. 3 financing resolutions for vehicles. Agenda Item scheduled for New Business on 6/10/13.
- d. Lyme Disease Proclamation. Agenda Item scheduled for New Business on 6/10/13.

- e. Wall facing Davenport's Galaxy – Commissioner McMurray wanted to know if the wall could be painted or pressure washed so it would improve the appearance. It was determined that John Davenport owns the wall, and he has agreed to allow the Town to do anything they would like, but he has no plans of doing anything with maintenance of the wall.

10. Adjournment.

A motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell to adjourn the meeting. Motion unanimously carried.

Regina M. Rosy
Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on May 30, 2013

Elizabeth B. Mofield
Elizabeth B. Mofield, Mayor

Minutes were ~~approved~~ revised
on ~~August 12, 2013~~
October 29, 2013