

Minutes
Work Session
Aberdeen Town Board

August 4, 2014
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, August 4, 2014 at 6:00 p.m. for the Work Session. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Pat Ann McMurray, Joe Dannelley, Buck Mims, and Eleese Goodwin. Staff members in attendance were Fire Chief Phillip Richardson, Planning Director Pam Graham, Planner Jae Kim, Town Manager Bill Zell, Planner Daniel Martin, Parks & Recreation Director Adam Crocker, and Town Clerk Regina Rosy. Tim Marcham, Richard Gergle, Joe McDonald, Ellen Marcus, Kenneth Byrd and Reporter for the Pilot Ted Natt were also in attendance for the meeting.

Mayor Farrell called the meeting to order at 6:00 p.m.

Manager Zell introduced the new Parks and Recreation Director, Adam Crocker.

1. Malcolm Blue Farm.

Manager Zell stated since the last meeting he has met with Ellen Marcus, and he also had the Building Inspector meet Ellen Marcus at the farm. Manager Zell stated Public Works Director Rickie Monroe also estimated what the costs would be to maintain the farm. Manager Zell stated he recommends the Town maintain the farm property for the remainder of this fiscal year and use the farm on an appointment only basis. Manager Zell stated the farm will more than likely be turned over to the Parks & Recreation Department over the next year, and money can be budgeted for the next fiscal year on running the farm. Manager Zell stated the utilities and maintenance are going to run around \$15,000 for this upcoming year. Manager Zell stated the farm currently has a \$10,101 CD that would come with the farm. Manager Zell stated the County budgeted \$3,700 as a contribution to the farm this year, which the Town will receive this year. And the Town budgeted \$1,375 which adds up to \$15,176 of funds available for this current fiscal year. Manager Zell stated if the Town takes over the Malcolm Blue Farm, then the Town needs to operate the farm, not a group of volunteers. Manager Zell stated the reverter clause prepared by Attorney Morphis only applies to the lot that the house is located on.

Mayor Farrell stated he understands the deed with the house on it will be separate, but would it make sense to recombine the 4 remaining lots to simplify the deed paperwork, rather than having 4 separate deeds for those lots. Mayor Farrell stated then there would only be 2 deeds for the property, instead of 5. Manager Zell also pointed out the resolution that Attorney Morphis has prepared to be considered for approval this evening. Commissioner Dannelley stated good information has been put together, and what a difference a month makes in information now available. Commissioner Dannelley stated he is pleased with the results from the property assessment. Commissioner Dannelley stated he is ready to take this item to a vote. Mayor Farrell stated the Board would not have been acting prudently if the Board had voted on the acquisition of the Malcolm Blue Farm at the June 30th Special Called Meeting, without knowing the status of the property and the money it would cost to maintain the property. A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, to approve the Resolution to Acquire the Real Property and Other Assets of the Malcolm Blue Historical Society and the added four recommendations that the Manager made which include:

- Through the balance of the current fiscal year, the Town will maintain the property, but hold no Town sponsored programming.
- The Town will allow visitors to come to the property on an appointment only basis as is done with the Train Depot using volunteers for all visits.
- The Town will use this year to determine what is needed to be repaired and make a plan to get it done.
- The Town will allow the new Parks & Recreation Director and either the current Parks & Recreation Advisory Board or a newly created Malcolm Blue Farm Advisory Board to figure out what are the best uses and programs during the budgeting process next spring.
- The Town will own the property and run it for continued success.

Motion unanimously carried 5-0. Ellen Marcus thanked the Board for approving the resolution, since it was Martha's dying wish.

2. Discussion of McDonald Farm Property.

Joe McDonald stated he is related to Malcolm Blue, and the McDonald Farm property is another historic site. In 1771, James Ray was given a land grant from the

King of England. Mr. McDonald stated this is the most historic home in Moore County, is pre-revolutionary war and has stayed in the same family until now. Mr. Ray built a log house on this property, and the house was added onto in the middle 1800s. Mr. McDonald stated the property changed hands briefly in the early part of the last century. Mr. McDonald stated the property is 62 acres, and is under conservation easement, and the acreage cannot be subdivided. Mr. McDonald stated now the farm has passed down to 4 boys and their wives. Mr. McDonald stated the property on the east side can be sold to the State Parks, and the west side can be sold to the Town of Aberdeen only. Mr. McDonald stated more than anything, he just wants to bring this to the attention of the Town Board.

3. UDO Text Amendment #14-02 Regarding the Discharge of Firearms within the Town Limits.

Director Graham stated this item may be scheduled for Public Hearing on 8/18/14. Director Graham stated an avenue is being created in the UDO where indoor firearm ranges can be permitted. Director Graham stated her recommendation is that this type of issue be allowed with a conditional use permit in that district, so the Board will have the ability to add conditions to future such projects. Director Graham stated indoor ranges are completely omitted from the UDO currently, and need to be addressed one way or the other. Mayor Farrell asked if this ordinance will apply to AirSoffe guns too, since a lot of little boys are running around with these types of guns. Commissioner Dannelley stated the purpose of the this amendment is to get the authorized uses correctly identified, and then circle back around and look at the entire amendment as a whole. Director Graham stated she will have Attorney Morphis address the concern of BB guns, AirSoffe guns, etc. and get some clarification. Commissioner Dannelley stated the public hearing for this item is to address the indoor shooting range at hand, but that item can quickly be followed up with an amendment to the UDO to address all of the other concerns. Commissioner Mims stated he would like to sit down with Director Graham in the next couple of weeks and help give some direction on which types of weapons should be addressed in the UDO amendment. Director Graham asked how the Board feels about BB guns and bow and arrows. Commissioner McMurray suggested looking at other communities and seeing how they address this issue. Commissioner Dannelley confirmed that this item will not go to public hearing, and instead Commissioner Mims will sit down with Director Graham and go over this item in greater detail. Director Graham stated she feels comfortable with getting a consensus on what needs to be in the draft before going to public hearing with this

item. Commissioner Dannelley asked if a month from now would be realistic? Director Graham stated one month is definitely a realistic timeframe.

4. Revisions to the Permitting Fee Schedule.

Director Graham stated there is language in the UDO that requires open space in the amount of 20% of the project for all Single-Family Residential and Manufactured Home Park Developments. Section 152-200 provides for an alternative to this required open space that consists of a payment-in-lieu fee when “the permit-issuing authority determines that the open space and recreational needs of a development required by this section to set aside open space could also be adequately met by public open space and/or facilities constructed on town property that is located close enough to such development to reasonably serve its residents.” At issue is the method described in the UDO for determining the appropriate payment-in-lieu fee. The UDO directs that the acreage of the open space required of the development be multiplied by the dollar value per acre established in the Town’s fee schedule. No such dollar per acre value is listed in the fee schedule currently. Director Graham reviewed the research she did on other communities and how they compute payment-in-lieu fees. Director Graham stated staff recommends that the Board consider the dollar value per acre for open space calculation – tax value at the time of application for the development, or most recent purchase price, whichever is greater. Mayor Pro-tem Thomas stated this seems to be a technique for a builder to buy out of the open space requirement, and he feels like a builder is always going to want to build more houses instead of providing open space. Mayor Pro-tem Thomas stated we need to be very careful about providing this option, or else all developments may end up wall to wall. Commissioner Dannelley stated it seems to him that our UDO already provides this option, it is just not defined how the payment-in-lieu fee is calculated. Director Graham stated she is never going to approve payment-in-lieu of open space requirements unless there is truly a situation where the open space is just not feasible for a project. Mayor Farrell asked if the Planning Director makes the final decision on this. Director Graham stated if it is a decision for a major subdivision, then it would come before the Board for approval. But if it is a minor subdivision, then the Planning Director has the authority to make those decisions. Commissioner Dannelley stated Section 152-200 of the UDO already allows payment-in-lieu fees for required open space, but it is not clear on how it is calculated and that is the reason for this amendment - to clarify how to calculate that amount. Mayor Farrell stated Aberdeen has been burned more than once by developers, and if there is a way to get around requirements, then developers will

find a way around it. Commissioner Mims stated he likes Durham's method of proportionate amounts. After much further discussion, the Board decided to move on to the next part of this item before making a decision.

Director Graham stated the 2nd item is the commercial building up-fit fees. Staff has discovered a need for clarification of the commercial up-fit fees, which currently require a \$100 base fee + \$0.15 per square foot. Based on research of other communities, 74% of those communities calculate the building up-fit fees based on the cost of construction rather than square footage of the building. Director Graham stated staff recommends that the fee schedule be revised to clarify that commercial up-fit fees are based only on the area(s) where work is proposed.

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner McMurray, to revise the fee schedule for commercial up-fit fees to use workable figures of \$100 base fee + \$0.15 per square foot of area where work is being done. Director Graham stated the Building Inspector will calculate the square footage. Motion unanimously carried 5-0.

Back to the first item of this discussion, Commissioner Dannelley stated the question is which method to use to determine the open space calculation. After a great deal of discussion among the Board, Commissioner Dannelley stated the Board could just eliminate the payment-in-lieu option for open space and not even make it an option. Mayor Pro-tem Thomas stated he likes what Salisbury does – 300% of the predevelopment tax value of the required open space area. Commissioner Mims stated he believes this type of decision should not be made by one individual such as the Planning Director, but should go through the Town Board for approval.

Mayor Pro-tem Thomas asked if this has ever come up before. Director Graham stated it came up with the Wayland Street item, and in that case, the Planning Director had recommended payment-in-lieu for the open space requirement. Mayor Pro-tem Thomas recommended the calculation Durham uses. Director Graham stated we could get more if the Board goes with the staff recommendation of tax value at the time of application for the development, or most recent purchase price, whichever is greater. Mayor Pro-tem Thomas stated he would always want the Board to make the decisions on payment-in-lieu for open space requirement. Director Graham stated currently all major subdivisions would come before the Board, it would just be minor subdivisions that staff could consider a payment-in-lieu fee for approval.

A motion was made by Commissioner Mims, seconded by Commissioner Dannelley, to approve the dollar value per acre for open space calculation – tax value at the time of application for the development, or most recent purchase price, whichever is greater. Motion unanimously carried 5-0.

5. Volunteer Board Re-appointments.

Director Graham stated there are currently openings on volunteer Boards. Planning Director Graham provided staff's recommendations for the appointments.

Commissioner McMurray recommended appointing Ron Utley to a regular in-town member. Commissioner Dannelley stated he would recommend approving the staff recommendations. A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas, to approve the staff recommendations which include the following:

- Raymond Lee and Janet Peele be reappointed to the Planning Board with term expirations of June 2017.
- Ron Utley be reappointed as an alternate member to the Planning Board with a term expiration of June 2017.
- Richard Gergle be appointed to the Planning Board as a Regular Member with a term expiration of June 2017.
- Kam Hurst be reappointed to serve on the Historic Preservation Commission with a term expiration of June 2018.
- Eldiweiss Lockey, Janet Peele, and Dale Streicker be reappointed to serve on the Appearance and Beautification Commission with a term expiration of March 2017.

Motion unanimously carried 5-0.

6. Resolution of Support for Local Match Funding Commitment for Pedestrian Projects.

Director Graham stated staff has been notified by NCDOT that a letter will be required from the Town indicating our commitment to provide the required 20% match for any bike and/or pedestrian projects that could be funded with federal dollars through the Strategic Transportation Investments process. This letter must be submitted no later than August 29, 2014. Aberdeen submitted two projects from

our adopted Pedestrian Plan. The project that is in the best position for funding is the mid-block crossing of US 1 near the Lake Park, with an estimated cost of \$120,000. The 20% required local match would be \$24,000. The 2nd project would to construct sidewalks along both sides of Johnson Street between Panera and Southern Middle School. The estimated project cost is also \$120,000 with a \$24,000 local match. Mayor Pro-tem Thomas asked if these projects came to fruition, when would the Town's \$48,000 match be due and payable. Director Graham stated she does not know the exact answer, but the projects could come up rather quickly if approved. Director Graham stated only projects in an approved transportation plan can move forward in this process.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that the resolution and letter of commitment be approved and executed as written. Motion unanimously carried 5-0.

7. Interlocal Agreement Regarding Address Assignments for E-911 Consistency.

Director Graham stated Moore County has proposed an Interlocal Agreement with all municipalities in the County to provide a consistent process for addressing of properties. The agreement puts in writing a process that the County will assign new addresses so that potential 911 conflicts are avoided, that the County will review proposals for new street names to eliminate conflicts with existing street names, and that the County will notify municipalities of conflicts regarding addresses to coordinate mutual efforts towards resolution.

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Mims, to approve the Interlocal Agreement Regarding Address Assignments for E-911 Consistency. Motion unanimously carried 5-0.

Mayor Farrell stated a street sign in Aberdeen needs to be changed from Allison P. to Allison Page Road, since it is a disgrace to the young marine that died in World War I. Director Graham stated she will research that and attempt to get the street sign corrected.

8. Resolution of Intent to Close a Portion of Morehead Avenue.

Director Graham stated a petition to close the portion of Morehead Avenue was submitted by Sammy McPeake. The portion proposed for closure in the petition is integral to the site plan and eventual development of the Towne Place Suites Hotel. Director Graham stated the public hearing for this item will be held on

August 18, 2014. Commissioner Dannelley made a motion to approve the Resolution of Intent to Close a Portion of Morehead Avenue. Director Graham stated approval of the Resolution of Intent is not necessary. Motion failed for lack of a second. Agenda Item scheduled for Public Hearing on 8/18/14.

9. Midway Gardens Grant Close-Out.

Planner Daniel Martin stated the Town is approaching the end of the Midway Gardens CDBG program. A close-out public hearing will need to be held to finish up this grant. Mayor Farrell asked if all of the houses are finished. Planner Martin stated yes, the houses are finished. Mayor Farrell stated Midway Gardens is a nice looking neighborhood. Agenda Item scheduled for Public Hearing on 8/18/14.

10. Aberdeen Fire/Rescue Department Proposed Organizational Changes.

Chief Richardson reviewed the current organization of the Aberdeen Fire & Rescue Department. Chief Richardson stated the current organization of the department needs to change due to span of control, flexibility, shift coverage, NFPA standard changes, efficiency of the department, safety and ISO requirements. Chief Richardson stated so far this year, there have been 956 calls for service, and 110 were overlapping. 11.5% of the calls between January 1, 2014 and July 21, 2014 were at the same time.

Chief Richardson stated he and his staff have worked really hard to get the ISO rating to a 4. But with the changes for ISO recommended for this year, if these recommended changes are not put in place, it could have an impact on the ISO rating. Chief Richardson stated even though there are many volunteer firefighters for the department, the response rate to calls is only 9.48% for the volunteers. Chief Richardson stated in order to meet state requirements for inspections, there needs to be a 65% increase in inspections. Chief Richardson stated Pinehurst maintains 9 personnel per shift, and handles approximately 1,000 calls per year. Chief Richardson stated Southern Pines maintains 7 personnel per shift, and handles approximately 1500 calls per year. Chief Richardson stated Aberdeen has 4 personnel per shift and are tracking towards 1700 calls this year.

Chief Richardson stated OSFM has increased certification training hours by 10% this year alone. Chief Richardson stated by changing the structure of the department and adding a 2nd Deputy Chief, it will allow the opportunity to have an additional staff person to work on inspections and also be available to get on the fire

truck if needed for calls. Chief Richardson stated personnel are already in place to take these proposed positions, and would basically create a new position at the bottom for a Firefighter position. Chief Richardson stated this proposed organizational change would also allow for some promotional opportunities within the department.

Commissioner Mims asked for thoughts from Manager Zell. Manager Zell stated it would cost approximately \$45,000 per year to fund this new organization for the Fire Department. Manager Zell stated it would allow some opportunities within the department for advancement, and it would also allow 2 paid personnel to focus on inspections. Commissioner Mims asked if this could be done without raising taxes. Manager Zell stated yes, this could be done without raising taxes, and this would provide a fix to the immediate issues at hand and would increase the number of inspections that could be completed.

Commissioner Mims asked how this would be funded for the remainder of this fiscal year. Manager Zell stated a budget amendment would have to be done.

A motion was made by Commissioner Mims, seconded by Mayor Pro-tem Thomas, to approve the new organizational structure for the Fire Department. Motion unanimously carried 5-0.

11. Update on Ray's Mill Pond.

Manager Zell stated one of the things the Board really needs to decide on is what to do with the house on the property at Ray's Mill Pond. Manager Zell stated we have made every effort to get it moved and the cost for rehab is prohibitive and now it's causing a major delay in the project. Manager Zell stated he recommends we burn it as soon as possible. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Dannelley, to approve burning the house. Motion unanimously carried 5-0.

Manager Zell stated after receiving revised estimated numbers for this project, the total matching amount of dollars from the Town is \$178,328. Manager Zell reviewed the estimated pricing for this project. Mayor Pro-tem Thomas stated he would recommend eliminating the bathrooms for now which is \$142,000. Commissioner Mims stated he would really like to focus on the trail, the pond, and the pier.

Manager Zell stated he asked the PARTF folks if the project is not completed and the Town turns the money back in, what would happen. Manager Zell stated he was told that Aberdeen would have a black mark forever, which would not be a good thing for future grant opportunities.

Commissioner Dannelley stated it sounds like the plan of action is to burn the house, dredge the lake, build the trail, pier, driveway improvements, site preparations, and signage. Mayor Pro-tem Thomas stated he would recommend just providing porta johns, instead of constructing the bathrooms, in order to cut down on costs. Manager Zell stated he will get started. Mayor Farrell asked Manager Zell to provide updated numbers for this project for the next meeting.

12. Other Business.

- Director Graham stated after reviewing the item again for the road closure on Morehead Avenue, she does in fact need approval from the Board on the Resolution of Intent. A motion was made by Commissioner Dannelley, seconded by Commissioner Mims, to approve the Resolution Declaring the Intention of the Board of Commissioners of the Town of Aberdeen to Consider the Closing of an Unopened Portion of Morehead Avenue. Motion unanimously carried 5-0.
- Manager Zell stated he, Commissioner Dannelley and Mayor Farrell met with Lydian Altman from the UNC School of Government about conducting a strategic planning session with the Town leadership and guidance on how to prepare a roadmap for the Town of Aberdeen. Manager Zell stated he is looking at Saturday, October 11th at Aberdeen Lake Park for a potential date. Manager Zell stated the total cost for the facilitator would not exceed \$2500. Commissioner Dannelley stated he is a believer in putting things in motion in the right way, and he believes the timing is right for the Board of Commissioners and leaders of the departments to get together to effectively transform ideas into action, provide guidance, align resources with community values for the future, and align core government functions with desired strategies. Commissioner Dannelley stated then we can build a common vision that is aligned between departments and Town leaders. Commissioner Dannelley stated this would be an investment for Aberdeen's future. Manager Zell clarified that the October 11th meeting will include instructions on how to develop a roadmap to create a strategic plan, and we will not walk away with our strategic plan on that specific day. Meeting scheduled for Saturday, October 11, 2014.

- Commissioner Mims stated regarding an economic development opportunity, there has been a lot of discussion about the topic, and unfortunately this topic was not brought before the Town Manager and his staff sooner. The Town would need to pony up \$15,000 for a feasibility study to be completed for the project. Commissioner Mims stated another party has agreed to pay the majority of the cost for the feasibility study, which is a total cost of \$70,000. Mayor Farrell stated just recently he went to a meeting with the proposed developers and Manager Zell, Commissioners Mims, and Mayor Pro-tem Thomas. Mayor Farrell stated this project is time sensitive. Commissioner Mims stated there is always a risk that the project could be a no go, therefore the credibility of the organization doing the study is really important to him. Commissioner Mims stated the principal owner of the company conducting the feasibility study has stated that a number of similar projects have been completed and are very successful. Commissioner Mims stated the credibility of the company conducting the feasibility study has an excellent track record. Mayor Pro-tem Thomas stated he thinks this is an unbelievable investment opportunity. Mayor Pro-tem Thomas asked Manager Zell if any economic development dollars are available in the current budget. Manager Zell stated this would be a budget amendment. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to approve paying \$15,000 of the feasibility study for this economic development opportunity. Commissioner Mims stated the meeting he attended answered any questions he could think of regarding this project. Motion unanimously carried 5-0.
- Manager Zell's performance evaluation. Agenda Item scheduled for Closed Session on 8/18/14.
- Mayor Farrell stated he got a letter from Jean Robbins – she and some of her neighbors are concerned about recycling. She has asked that information about recycling be put in the next Bon Accord. Mayor Farrell asked for that information to be included in the next edition of the Bon Accord.

13. Adjournment.

A motion was made by Commissioner Mims, seconded by Mayor Pro-tem Thomas, to adjourn the Work Session. Motion unanimously carried 5-0.

Regina M. Rosy
Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on August 4, 2014

Robert A. Farrell
Robert A. Farrell, Mayor

Minutes were approved
on August 18, 2014