

Minutes
Regular Board Meeting
Aberdeen Town Board

March 23, 2015
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, March 23, 2015 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Joe Dannelley, Elease Goodwin, and Pat Ann McMurray. Commissioner Buck Mims was not in attendance for the meeting. Staff members in attendance were Planning Director Pam Graham, Planner Daniel Martin, Planner Jae Kim, Town Manager Bill Zell, Police Chief Tim Wenzel, Parks & Recreation Director Adam Crocker, Officer Farley Bowers, Officer Jesse Smith, Officer Leigh Ann Brooks, Officer Cameron Parent, Officer Brian Chavis, Captain Josh Kirk, and Town Clerk Regina Rosy. Tim Marcham, Kenneth Byrd, Jim Saunders, Barbara Allred, Geoff Potter, and Reporter for The Pilot Ted Natt were also in attendance for the meeting.

1. Call to Order

Mayor Farrell called the meeting to order at 6:02 p.m.

a. Pledge of Allegiance.

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

2. Setting of the Agenda

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to approve the setting of the agenda as presented. Motion unanimously carried 4-0.

3. 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 Board Meeting on February 23, 2015, Strategic Planning Retreat on February 27, 2015, Budget Retreat on March 7, 2015, Work Session on March 9, 2015, and Closed Session on March 9, 2015.

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Dannelley, to approve the consent agenda as presented. Motion unanimously carried 4-0.

4. Informal Discussion and Public Comment

a. Swearing in of Police Officer Anthony Williams.

Chief Wenzel read a biography of new Police Officer Anthony Williams. Chief Wenzel stated Officer Williams is a new member of the Aberdeen Police Department family. Town Clerk Regina Rosy administered the oath of office to Officer Anthony Williams.

b. Presentation by Aberdeen Elementary School 5th Grade Golden Tigers.

The Aberdeen Elementary School 5th Grade Golden Tigers presented some information regarding what they are working on at Aberdeen Elementary School. Cooperative learning skills are used and teach teamwork and effective communication. Their career and college fair was a tremendous success and gives their students a glimpse into their futures. Classroom experiences are interactive, enriching, and hands on. Technology is combined with experiments to enhance learning. Aberdeen Elementary School is on the web at AESTigers1. The Battle of the Books Team is working hard in competition. The students reviewed other programs they participate in including Rachel's Challenge and Cookies for Courage.

5. Financial Report

Manager Zell stated the General Fund through the end of February is at \$865,190.19, and noteworthy revenues earned are listed for review. Manager Zell stated sales tax is 17% ahead of last year's sales tax revenue which is wonderful. Manager Zell stated the numbers for the Water and Sewer Fund are not quite as good. Manager Zell stated there was a software glitch last month with water billing for a customer that had to be corrected.

6. Old Business

None

7. Public Hearings and New Business

- a. Public Hearing for Conditional Use Permit #15-01 for Assembling of Goods at 303 Fields Drive.

Mayor Farrell opened the public hearing on Conditional Use Permit #15-01 for Assembling of Goods at 303 Fields Drive.

Clerk Regina Rosy swore in Director Pam Graham and Jim Saunders.

Director Graham entered the staff report into the record.

Director Graham stated the property is located on Fields Drive just to the north of NC Highway 5. Director Graham stated the applicant proposes to establish an operation to perform final assembly of soft-top camper trailers. Warehousing of materials for the operation can be expected. A design and procurement office will be a part of the operation, and all operations will be confined to the interior of the building with the exception of shipment activities.

Director Graham displayed a vicinity zoning map for the area. Director Graham stated the existing building is currently vacant and is a one story metal building containing approximately 3500 square feet. The property shares a 35' wide entry drive with Elite Roofing and provides a gravel parking area beside the building. A separate gravel drive on the property provides access to the rear yard area. Director Graham displayed an aerial image of the property which was from 2010, so it has changed a bit. Director Graham displayed photos of the building from all sides. Director Graham stated the operation is proposed to facilitate the production of on/off road soft-top camper trailers. Activities will include design, final assembly, and shipment. The applicant has stated that all manufacturing processes will take place inside the existing structure, with shipment activities only during daylight hours. No exterior changes to the building or additional construction activities are anticipated. Director Graham stated staff considers the proposal to be in general conformity with the adopted Land Development Plan.

Director Graham stated the Board must also consider the following in their deliberations:

- (1) Will the activity materially endanger public health or safety?
- (2) Will it substantially injure the value of adjoining or abutting property?
- (3) Will it not be in harmony in the area in which it is to be located?

Director Graham stated the recommended conditions for the conditional use permit are as follows:

- (1) Conditional Use Permits run with the land and as such CU #15-01 applies to the entirety of the property reflected in PID #00047303. An amendment to the CUP is needed to remove property from the CUP or to make changes to the CUP. If an activity is a use by right, it is not subject to the CUP.
- (2) Building and Fire Inspections and Town of Aberdeen Business License are to be required prior to beginning operation, all to be coordinated through the Planning and Inspections Dept.
- (3) Any proposed building renovations are to be approved by Town of Aberdeen Building Inspectors and shall meet all applicable codes.
- (4) Approval of the CUP shall not imply approval of signage. Sign permit applications consistent with the requirements of the UDO shall be reviewed and approved by the department prior to installation.
- (5) The operation will be required to comply with Town of Aberdeen noise regulations.
- (6) The operation shall be required to maintain industry standard processes and Society of Automotive Engineers (SAE) techniques, and shall comply with Occupational Health & Safety (OH&S) guidelines for small business manufacturers exclusive of petro-chemical activities.
- (7) All additional conditions or requirements as provided in the Town of Aberdeen Unified Development Ordinance (UDO) are enforceable with regards to the proposal approved by CU #15-01.

Jim Saunders stated the design aspects of the project and assembly will take place at the existing building. Mr. Saunders stated the tent will come from a separate manufacturer and will be shipped to the site and added to the body of the equipment. Mr. Saunders stated the operation would be a mixture between RV camping and tent camping. Commissioner Dannelley asked if this is a brand new business. Mr. Saunders stated yes, this is a brand new business. Mayor Farrell asked if equipment would be stored inside or outside the building. Mr. Saunders stated all equipment will be stored inside the facility. Mayor Pro-tem Thomas asked if sales will take place on site, and Mr. Saunders stated that is the plan. Mr. Saunders stated the goal is to find some large distributors to assist in sales such as Cabelas, etc.

Commissioner Dannelley questioned Condition #6. Director Graham stated the Planning Board requested #6 be added, and the applicant agreed to that condition, since all the due diligence has already been completed regarding this condition.

With no further discussion, Mayor Farrell closed the public hearing on Conditional Use Permit #15-01 for Assembling of Goods at 303 Fields Drive.

- b. Consider action on Conditional Use Permit #15-01 for Assembling of Goods at 303 Fields Drive.

A motion was made by Commissioner Dannelley, seconded by Commissioner McMurray, that CU #15-01 is complete as submitted. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas, that CU #15-01 if completed as proposed, will comply with all requirements of the UDO. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that CU #15-01 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that CU #15-01 satisfies Finding #2: will not substantially injure the value of adjoining or abutting property. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that CU #15-01 satisfies Finding #3: will be in harmony with the area in which it is located. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that CU #15-01 satisfies Finding #4: will be in general conformity with the Land Use Plan or other plans specifically adopted by the Board. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that based on the findings of fact and the evidence presented, the Board of Commissioners issues approval with conditions of CU #15-01 with the 7 conditions listed. Motion unanimously carried 4-0.

c. Public Hearing for UDO Text Amendment #15-01 Regarding Business Signage.

Mayor Farrell opened the public hearing for UDO Text Amendment #15-01 Regarding Business Signage.

Director Graham stated staff has recognized the need for addressing two items in our sign ordinance related to “blade” style and window signage for businesses. Director Graham stated businesses located in areas with significant pedestrian traffic have more limited signage visibility when the sign is located on a wall or window. The pedestrian cannot see these types of signs as they approach the business, until they are nearly in front of the storefront. Director Graham stated she is not asking for additional signage, she is asking for an option for signage. Director Graham stated blade signs are often the solution, as they are situated perpendicular to the front wall of the building and can be seen from more vantage points than wall or window signs. Such signs typically are suspended from a bracket or awning and are less effective in areas where customers pass by in their vehicle. These types of signs are currently only permitted in Aberdeen’s historic district; the text amendment proposes to allow them as an alternative to a wall sign, but not in addition to a wall sign.

Director Graham stated the second item is that signs painted on or affixed to window and door glass are allowed in the UDO, but fall under the category of Signs Authorized without a Permit (Section 152-274). Such signs are limited to 25% coverage of the glass area and are allowed in addition to other types of signs such as wall or freestanding signs. They are also required to allow for a clear area for visibility when placed on glass doors. No fees are currently collected, however a “mock” permit is issued and the proposal is logged in the permit book for record keeping purposes. As the review and processing is identical to what is performed for other types of signage, staff is proposing that an actual permit be issued for window signs, with the standard \$75 sign permit fee.

Mayor Pro-tem Thomas asked if these signs are lit. Director Graham stated they are typically not lit, but could be. Mayor Pro-tem Thomas clarified that the signs could be lit from the inside of the sign but not on the sign. Mayor Farrell asked if the signs could be neon. Director Graham stated neon signs are only regulated in our historic district. Mayor Farrell asked if they can be flashing signs. Director Graham stated there is specific language in the UDO that prohibits flashing blinking lighting on signs. Director Graham read the excerpt from the UDO. Mayor Pro-tem Thomas stated he is just

concerned about the aesthetics. Mayor Pro-tem Thomas stated he is opposed to backlit signs (lit from within), since he feels their appearance is not aesthetic. Mayor Pro-tem Thomas stated he feels this may be an appropriate time to change the UDO to reflect that requirement for external lighting of signs. Director Graham clarified that this would only affect those signs from this point forward. Mayor Pro-tem Thomas excused himself from the meeting at this point, due to another commitment.

Director Graham stated Attorney Morphis did an excellent job of defining a blade sign which is "suspended from a bracket attached to a building wall, may project no more than four (4) feet from the building wall, shall not exceed eight (8) square feet in size, and shall have eight (8) feet or more of vertical clearance from the ground.

Commissioner Dannelley stated he does like the blade signs, but his concern is that he did not see a lot of consistency with materials. Commissioner Dannelley stated Town & Country is a great example, since you don't know what you'll get as you go from store to store in that shopping center. Commissioner Dannelley stated lighting is a real concern too. Mayor Farrell stated there are a lot of questions about these signs, and taste in design of these signs could vary.

Director Graham stated what she is hearing is that the Board would like to continue discussion on this item at a later date. Commissioner Dannelley stated lighting of the blade signs and consistent composition of materials are the two biggest concerns that he would like the Board to discuss. Commissioner Dannelley stated he also does not want to put a financial burden on business owners either, but he would like more information before he makes a decision, including a cost comparison for materials.

With no further discussion, Mayor Farrell closed the public hearing on UDO Text Amendment #15-01 Regarding Business Signage.

d. Consider action on UDO Text Amendment #15-01 Regarding Business Signage.

Action delayed until future meeting.

e. Public Hearing for Closeout of 2011 Small Business and Entrepreneurial Assistance Program.

Mayor Farrell opened the public hearing for Closeout of 2011 Small Business and Entrepreneurial Assistance Program.

Planner Daniel Martin stated the purpose of this item is to conduct a public hearing for the closeout of the 2011 Small Business and Entrepreneurial Assistance Program. The Town received \$225,000 and assisted two local businesses: Davenport's Galaxy Grocery and Blue's Crossing Barbershop. Dollars were used to provide machinery/equipment as well as renovations for both. In return for the funding for improvements, both business owners committed to hiring 9 full-time employees (8 for Davenport's Galaxy Grocery and 1 for Blue's Crossing Barbershop). Planner Martin discussed that a full-time equivalent calculation was used to meet the job requirement.

Planner Martin stated the Town partnered with Sandhills Community College's Small Business Center to conduct 16 seminars and were provided at no charge to those who attended; classes were funded by the planning portion of the grant.

With no further discussion, Mayor Farrell closed the public hearing on Closeout of 2011 Small Business and Entrepreneurial Assistance Program.

- f. Request by McKee Homes for Minor Modification on Lots 184 and 188 at Legacy Lakes.

Director Graham stated in February the Board approved a minor modification request for McKee Homes for Lot 183 that authorized the redrawing of the corner lot boundary line and relinquished 688 square feet of right-of-way. The resulting survey prepared by McKee's engineer included a sliver of right-of-way on the adjoining lot (184) that would also be given over to the lot, comprising twenty (20) square feet above and beyond the 688 square feet already approved.

Director Graham stated McKee has discovered a similar condition on the corner lot at the end of the block containing Lots 183 and 184 and has requested a modification of this lot as well (Lot 188). Director Graham stated the amount of right-of-way that would be relinquished for this lot is calculated at 803 square feet. Therefore, the current request would be for a minor modification to the conditional use permit, specifically for the lot line alterations for Lots 184 and 188 that constitute a total of 823 square feet of right-of-way acreage that will be relinquished and incorporated into the lots. Director Graham stated the Public Works Director has no issues with this,

since it will be less property for the Town to maintain and creates more tax base.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, that the Board approve the request for a minor modification to CU #07-04 as illustrated in the surveys provided and descriptions provided by Averette Engineering and subject to the following requirements:

- (1) Unless provided for as a part of this or previous modification, all other requirements of CU #07-04 must be met, including those shown on the approved plans.
- (2) Unless provided for as a part of this modification, all requirements of the Aberdeen Zoning Ordinance in effect at the time of the project approval, except those already amended by the approval of CU #07-04 or subsequently approved modifications, shall be complied with.
- (3) Any approval of this modification request shall be limited to Lots 184 and 188 and shall not be applied to additional property without the expressed approval of the Board of Commissioners.

Motion unanimously carried 3-0.

g. Consider action on Budget Amendment to appropriate in the budget for the Town's commitment to the Greenway Project.

Manager Zell stated this is a budget amendment for the Greenway Project and this is the Town's financial commitment for that grant in the amount of \$5,000. Director Graham stated property was dedicated to the Town through open space requirements from Forest Hills and Habitat properties that contributed to the Town's commitment as well. Manager Zell stated the goal of this grant was to get kids from the school to the park safely. A motion was made by Commissioner Dannelley, seconded by Commissioner McMurray, to approve an amendment for \$5,000 to appropriate in the budget for the Town's commitment to the Greenway Project. Motion unanimously carried 3-0.

h. Consider action on Audit Contract and Separate Audit Engagement Letter.

Manager Zell stated this is the standard audit contract from Dixon Hughes Goodman, LLC for the upcoming 2014-2015 audit. Manager Zell stated the separate audit engagement letter will be discussed at the next Work Session, when an auditor will be in attendance to present information. A motion was made by Commissioner Dannelley, seconded by Commissioner McMurray, to approve the audit contract with Dixon Hughes Goodwin for the 2014-2015 audit. Motion unanimously carried 3-0.

i. Appearance & Beautification Commission Review and Comments on Ray's Mill Park Sign Proposal.

Manager Zell stated the Parks & Recreation Advisory Committee has selected sign #1, and the Appearance and Beautification Commission selected sign #3. Manager Zell stated it is really important to make a selection so the process can begin for making the sign so the park will be ready to open in May 2015. Commissioner McMurray stated she really likes sign #4. Commissioner McMurray stated she especially likes the posts underneath the sign on sign #4. Mayor Farrell stated he really likes #3 and #4 because of their consistency. Commissioner Goodwin stated the Appearance and Beautification Commission is looking for consistency as well. Commissioner Goodwin stated the signs brand Aberdeen. Commissioner Goodwin stated the Appearance and Beautification Committee really liked the posts on the outside because it gave more security to the sign. Commissioner Dannelley stated his take was to go with sign #2. Mayor Farrell stated again, he really likes #3 and #4. Manager Zell asked if the Board would rather the sign read "Ray's Mill Pond Park" instead of "Ray's Mill Park". Parks & Recreation Director Crocker stated the concept was to keep it simple with "Ray's Mill Park". Commissioner Dannelley asked if a decision is made in 2 weeks, will that be enough time? Manager Zell stated he hopes so. The Board agreed to wait and make a decision at the next Work Session when the other 2 Board members are in attendance.

8. Other Business

a. Update on PARTF Grant for Ray's Mill Pond.

Manager Zell stated the contractor, the Dabbs Brothers, has been busy moving dirt, and they have rolled out the trail, widened the entrance road, built the pad for the outdoor shelter and will be pouring concrete for the pad very soon. Manager Zell stated the Dabbs Brothers will be preparing the road and trail to be paved by building the base with stone and then compacting it for a solid foundation. Along the left side of the roadway into

the park they will be building a continuous swale to take rain water around and away from the road and trail. Manager Zell stated Rickie Monroe is working with Duke Energy on getting the line installed for the lighting and power for area lighting and the shelter. Manager Zell stated it has been determined because the porta john company only has a 25' hose, we will have to relocate where the porta johns are placed. Manager Zell stated the next construction meeting will take place on 3/26/15 at 10:00 a.m. at the site.

Commissioner Dannelley asked if there are any restrictions on accessing the site, since he has had a couple questions from neighbors. Mayor Farrell stated he would not recommend any vehicles driving through the park, since the road is really broken up currently.

b. Grants Update.

Planner Martin stated all grants are on schedule with an exception of the following four:

- ITPP Sewer Improvements: required to have 79 full-time jobs, and are currently at 59. Need 20 more jobs by 1/31/2016.
- Project Huggies: committed to hiring 35 jobs which would bring total to 81, currently at 59, and need additional 22 by 8/27/2016.
- 2012 SBEA: a good meeting was held on 3/11/15 with Valerie Moore and Meridian representatives. Request was to reduce the job count and extend the project. A new closeout has been established for 6/30/2016 and 9 jobs will be required.
- Meridian Expansion Project: Planner Martin stated on 3/17/15 Meridian made the decision to cancel this grant and no longer pursue it, and just work with the 2012 SBEA Grant. Mayor Farrell asked if there is any cost related to this grant since it was canceled. Planner Martin stated there is no cost involved – just de-obligating the \$150,000 grant award.

Planner Martin asked if he should go back to quarterly reporting at this point. Commissioner Dannelley stated going forward, Planner Martin should meet with the Manager, and determine if there is anything significant that needs to be presented. Otherwise, quarterly reporting is sufficient.

c. Library

Kenneth Byrd stated the County recently provided endorsement for the library project. Jamie Boles is looking at some possible grant ideas for the project as well. Mayor Farrell recommended looking into the Golden Leaf

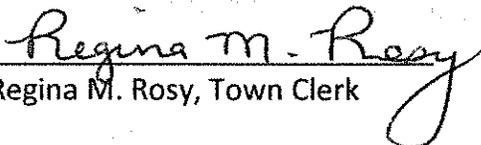
Foundation. Ms. Allred stated what they really want is to purchase the property, and put a sign up that says "Home of the Future Aberdeen Library".

d. CDBG Grant for the Berkley Sewer Project.

Manager Zell stated there has been a great deal of difficulty obtaining easements for this project, and only 4 out of 27 easements have been obtained so far. The contract was approved on 2/9/15 for the project. Manager Zell stated he asked the Attorney for guidance on the process to follow if the easements cannot be obtained. Manager Zell stated this project is very important to the Town. Commissioner Dannelley asked what the cost is to the Town by taking the easements. Manager Zell stated legal fees will be incurred if we pursue this option presented by the attorney. Commissioner Dannelley stated he would like to see what the legal costs would be first. A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, to allow staff to move forward with obtaining the easements. Motion unanimously carried 3-0.

9. Adjournment

A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, to adjourn the Board Meeting. Motion unanimously carried 3-0.


Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on March 23, 2015


Robert A. Farrell, Mayor

Minutes were approved
on April 27, 2015