

Minutes
Regular Board Meeting
Aberdeen Town Board

November 28, 2016
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, November 28, 2016 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Ken Byrd, Joe Dannelley, and Eleese Goodwin. Commissioner Buck Mims was not in attendance for the meeting. Staff members in attendance were Planning Director Pam Graham, Town Manager Bill Zell, Finance Officer Beth Wentland, Police Chief Tim Wenzel, Josh Kirk, Todd Weaver, Carl Colasacco, Town Clerk Regina Rosy, and approximately 10 other police officers. Reporter for The Pilot Laura Douglass, Jennifer Bowles, Bryan Bowles, and approximately 10 other citizens were also in attendance for the meeting.

1. Call to Order

- a. Pledge of Allegiance.

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

2. Setting of the Agenda

Manager Zell asked for Item 4 – Informal Discussion and Public Comment to be added. Manager Zell also asked for a Closed Session for personnel to be added. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to approve the setting of the agenda as amended. 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. Conditional Use Permit CU #16-08 for Construction of a Multi-Family Development on Old Course Road - Schedule Public Hearing for 12/12/16.
- b. Conditional Use Permit CU #16-09 for Assembling of Goods at 354 Parkway Drive - Schedule Public Hearing for 12/12/16.

c. Conditional Zoning Request CZ #16-06 to Allow a Regional Utility Facility (Solar Collector Facility) on Fayetteville Street - Schedule Public Hearing for 12/12/16.

d. Rezoning Request RZ #16-01 for Property Located on Johnson Street - Schedule Public Hearing for 12/12/16.

e. UDO Text Amendment #15-11 Regarding Temporary Health Care Structures - Schedule Public Hearing for 12/12/16.

f. Text Amendment UDO #16-11 Regarding Water Supply Watershed Overlay District Regulations - Schedule Public Hearing for 12/12/16.

g. Text Amendment UDO #16-12 To Establish an Independent Board of Adjustment - Schedule Public Hearing for 12/12/16.

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

4. Informal Discussion and Public Comment.

a. Oath of Office for Officer Austin Whatley.

Chief Tim Wenzel introduced new Police Officer Austin Whatley. Town Clerk Regina Rosy administered the oath of office to Officer Whatley.

b. Public Comments.

Kelly Hester stated she is a resident of Legacy Lakes and she wants to show support for Bruce Parker and also echo the same concerns he has shared. Ms. Hester stated residents at Legacy Lakes really hope their issues are taken to heart. Mayor Farrell stated the issues have been taken to heart. Mayor Farrell stated his neighborhood is considered an active construction site as well, and it has been in existence since the 1970s.

Dr. Teresa Beavers stated she is here to support her neighbors in Legacy Lakes. Dr. Beavers stated she is concerned about trucks leaving greasy spots on new pavement once it is put down.

Mayor Farrell read a letter received from Eldiweiss Lockey – thanking the Town for the contribution to the Boy Scout Troop in honor of her husband.

5. Financial Report

Manager Zell stated in the General Fund through the end of October revenues are \$806,108 above expenditures. Some of the noteworthy revenues earned in October were 2016 R&P and MV tax revenue at \$153,402, local sales tax and hold harmless collections for August at \$142,598 and three other revenues - ABC Tax, building permits and solid waste fees came in at a combined \$87,000. Some noteworthy expenditures were the six (6) new Police vehicles, at \$180,116, the Robbins Road drainage project at \$108,900 and a new F350 Pickup Truck for the Streets Department at \$31,146.

Manager Zell stated in the Water and Sewer Fund, through October revenues are \$270,083 above expenditures. Some of the noteworthy revenues were water, sewer and bulk water revenues at \$489,180. The noteworthy expenditure was the new F550 pickup truck at \$66,561.

Manager Zell stated our largest revenue Ad Valorem Tax was budgeted at \$3,488,740 and through October we've received \$2,562,384 or 73.44 percent through the end of October. Manager Zell stated our Sales Tax revenue has come in for July and August at \$304,206, which is an average of \$152,103 per month, while our average for last year was \$143,530. Manager Zell stated it's early in the year, but it's a great start.

Manager Zell stated our Finance Officer has put together three spreadsheets comparing expenditures from last fiscal year with expenditures from this fiscal year in vehicle maintenance, equipment maintenance and fuel costs. For vehicle maintenance spending through October we have spent approximately \$10,000 more this fiscal year than last year, the bulk of this spending is in Sanitation and the Streets Departments. For equipment maintenance spending through October we have spent approximately \$12,000 more this year, and this is across the board with all departments spending more this year, while the expenditures for fuel through October are approximately \$5,300 less.

Manager Zell stated overall through the first third of our fiscal year we've received to date 43.76 percent of all budgeted revenues and our expenditures for the same period spent are 33.67 percent.

Manager Zell stated there will not be a financial report presented for the month of December, due to the shortened meeting schedule for December. The next financial report will be presented at the January 23rd Board Meeting.

6. Public Hearings and New Business

a. Consider action on Resolution to Name Authorized Town Officials for Financing Documents.

Finance Officer Beth Wentland stated this resolution is required by First Bank for a financing project for the 9 vehicles in the current budget. Finance Officer Wentland stated this resolution is in standard format and the authorized officials for this financing are listed in the resolution which include the Town Manager, Mayor, Finance Officer and Town Clerk. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to approve the Resolution to Name Authorized Town Officials for Financing Documents. Motion unanimously carried 4-0.

b. Public Hearing for Conditional Use Permit CU #16-07 for Cynthia Paris.

Mayor Farrell opened the public hearing for Conditional Use Permit #16-07 for Cynthia Parks.

Director Graham stated Cynthia Paris requests a Conditional Use Permit to allow an animal grooming service use at 300 Fields Drive in Aberdeen. Director Graham stated the property is located at the corner of NC Hwy 5 and Fields Drive. Director Graham stated the applicant proposes a pet grooming business. Ms. Paris stated that she has five employees and a maximum of 5-6 clients at any one time. No exterior changes to the building or additional construction activities are anticipated with the exception of signage, which will be considered under separate application. Staff has deemed the application to be complete. Director Graham stated the C-I District is established as a district in which the principal use of land is for industries that can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. The regulations of this district are designed to prohibit the use of land by heavy industry, which should be properly segregated, and to prohibit any other use that would substantially interfere with the development of industrial establishments in the district.

Director Graham stated the parcel is adjoined by other C-I zoned properties on all sides. Other businesses in the park include Elite Roofing (across Fields Drive), Classic Signs, Blarney Stoneworks, Boles Heating & Air Supply, Ferrell Gas, and Moore Brick and Stone. The nearest non-C-I zoned parcel is over 800 feet to the north and is an undeveloped portion of The Pit Golf Course. The nearest residences are the townhomes at The Pit and are located over ¼ mile away from the subject property.

Director Graham displayed a vicinity zoning map and aerial photographs of the property. Director Graham stated the existing structure on the property, currently vacant, is one story with siding and a front screened porch. The building has approximately 1812 square feet of retail area per the Moore County Tax Records and has accommodated restaurant uses in the past. The parcel itself contains 0.367 acres. The parcel is an average of 121' deep with 125.79' of frontage on Fields Drive. The property currently has a gravel parking area shared with the business at 302 Fields Drive. The UDO is silent on a requirement for parking for animal grooming service. Using the UDO minimum parking space width of 8 feet, it appears that approximately 10 spaces can be accommodated in the existing parking area. Based on the applicant's proposal, staff can support that the existing parking area is adequate.

Director Graham stated the Future Land Use Map associated with the Plan identifies the area as commercial, which is consistent with the current zoning and existing uses in the vicinity, as well as the proposed use. The plan itself addresses the type of operation proposed in this application by stating that Aberdeen had more than enough commercial space to handle future growth and that a significant need to designate future industrial properties did not exist at the time of the Plan's adoption. Staff has located no additional resources in other plans adopted by the Town that would be applicable to the proposal. The proposal is considered by staff to be in general conformity with the adopted Land Development Plan.

Director Graham stated the recommended conditions include the following:

- a. Conditional Use Permits (CUPs) run with the land and as such CU #16-07 applies to the entirety of the property reflected in Parcel ID #00056947. 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.

b. Building and Fire Inspections are to be required prior to beginning operation, all to be coordinated through the Planning and Inspections Department.

c. Any proposed building renovations are to be approved by Town of Aberdeen Building Inspectors and shall meet all applicable codes.

d. 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 Planning Department prior to installation.

e. The operation is required to comply with Town of Aberdeen noise regulations.

f. The Aberdeen Planning Department shall be notified of any future proposed changes in use for the property or changes to the site and any required permits, inspections, reviews, or other appropriate actions as determined by the Land Use Administrator shall be obtained.

g. All additional conditions or requirements as provided in the Town of Aberdeen Unified Development Ordinance are enforceable with regards to the proposal approved by CU #16-07.

Clerk Regina Rosy swore in Cynthia Paris. Ms. Paris stated there are really no standing customers – customers drop off their animals for a couple hours to be groomed and then they come back to pick them up. Commissioner Dannelley asked Ms. Paris how she decided to look into this opportunity. Ms. Paris stated she currently has an operation on Juniper Lake but she needs larger space which is why she is looking at this opportunity. Commissioner Dannelley brought up the condition listed for signage – Ms. Paris stated the condition does not appear to be a problem for her operation.

Without further discussion, Mayor Farrell closed the public hearing.

c. Consider action on Conditional Use Permit CU #16-07 for Cynthia Paris.

A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas, that CU #16-07 is within the jurisdiction of the Planning Board according to the Table of Permissible Uses. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas, that CU #16-07 is complete as submitted. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas, that CU #16-07, 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 Mayor Pro-tem Thomas, that CU #16-07 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried 4-0.

A motion was made by Commissioner Dannelley, seconded by Mayor Pro-tem Thomas that CU #16-07 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 Mayor Pro-tem Thomas, that CU #16-07 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 Mayor Pro-tem Thomas, that CU #16-07 satisfies Finding #4: will be in general conformity with 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 Mayor Pro-tem Thomas, that based on the Findings of Fact and the evidence presented, the Board issues approval with conditions of CU #16-07 as already stated. Motion unanimously carried 4-0.

- d. Consider action on Resolution Directing the Clerk to Investigate a Petition for Voluntary Contiguous Annexation for Property Located on the west side of Allison Page Road.

Director Graham stated this is formerly one of the Page properties and is an 8 acre property. Director Graham stated this is the first step of the process. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to approve the Resolution Directing the Clerk to Investigate a Petition for Voluntary Contiguous Annexation for Property Located on the west side of Allison Page Road. Motion unanimously carried 4-0.

7. Other Business

- a. Volunteer Board Appreciation Event – next Monday evening at the Postmaster’s House from 6-8 p.m.
- b. Mayor Farrell was very upset about The Sand Castle magazine not including Aberdeen Christmas events and wanted to know why Aberdeen’s programs are not being advertised.
- c. Director Graham stated tomorrow at 2:00 pm in the Town Hall Conference Room Matt Day will be meeting with staff to discuss the Comprehensive Transportation plan that is ongoing.

8. Closed Session pursuant to N.C.G.S. 143-318.11(a) (6) to consider the qualifications, competence, performance, and conditions of appointment of a public officer or employee.

A motion was made by Commissioner Dannelley, seconded by Commissioner Byrd, to go into Closed Session pursuant to N.C.G.S. 143-318.11(a) (6) to consider the qualifications, competence, performance, and conditions of appointment of a public officer or employee. Motion unanimously carried 4-0.

The Board returned from Closed Session. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to open regular session. Motion unanimously carried 4-0. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to approve a Resolution Naming the Aberdeen Public Works Building the William R. Monroe Public Works Building. Motion unanimously carried 4-0.

9. Adjournment

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to adjourn the Board Meeting. Motion unanimously carried 4-0.

Regina M. Rosy
Regina M. Rosy, Town Clerk

Robert A. Farrell
Robert A. Farrell, Mayor

Minutes were completed in
Draft form on November 28, 2016

Minutes were approved
on December 12, 2016