

Minutes
Regular Board Meeting
Aberdeen Town Board

February 13, 2012
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, February 13, 2012 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Alan Parker, Jim Thomas, and Walter Wright. Mayor Elizabeth B. Mofield was not in attendance for the meeting. Staff members in attendance were Planning Director Kathy Liles, Senior Planner Pam Graham, Planning Intern Jae Kim, Town Manager Bill Zell, and Town Clerk Regina Rosy. Robert Martin, Joel Stancil, Lee McGraw, Tim Marcham, Janet Kenworthy, Elease Goodwin, Billy Marts, Cindy Munn, and Reporter for the Pilot Tom Embrey were also in attendance for the meeting.

1. Call to Order

Mayor Pro-tem Farrell called the meeting to order.

a. Pledge of Allegiance.

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

2. Public Hearings

a. Conditional Use Permit CU #12-01 for Rooster's Wife / Poplar Knight Spot.

Mayor Pro-tem Farrell opened the public hearing for Conditional Use Permit CU #12-01 for Rooster's Wife / Poplar Knight Spot.

Town Clerk Regina Rosy swore in Planning Director Liles and Janet Kenworthy. Planning Director Liles stated Ms. Kenworthy requests that the Board grant a conditional use permit to affirm that entertainment uses be allowed in the existing building located at 114 Knight Street. The location is known as Poplar Knight Spot and the entertainment use is The Rooster's Wife.

Planning Director Liles stated this particular request would take a 3,600 square feet property and allow for up to 150 seated attendees (no tables) to have music, in addition to an art gallery. Planning Director Liles stated Ms. Kenworthy believes that music is in fact an accessory use to art. Planning Director Liles stated the building is sufficient for this particular use.

Commissioner Thomas asked about the 45 decibels and when and how this would be measured. Planning Director Liles stated this would only be measured in the event there is a complaint.

Ms. Kenworthy stated her closest neighbor enjoys the concerts on a regular basis, and has no problem with the noise.

Joel Stancil stated he thinks The Rooster's Wife is a good thing, and brings people into the downtown area.

Planning Director Liles stated the staff report needs to be entered into the record in case it is needed for future reference.

With no further discussion or public comment, Mayor Pro-tem Farrell closed the public hearing for Conditional Use Permit CU #12-01 for Rooster's Wife / Poplar Knight Spot.

b. Zoning Code Text Amendment UDO #12-01 to Regulate the Keeping of Chickens.

Mayor Pro-tem Farrell opened the public hearing for Zoning Code Text Amendment UDO #12-01 to Regulate the Keeping of Chickens.

Senior Planner Pam Graham stated Town staff and Board members have been listening to input on this issue for months now. Senior Planner Graham stated public input has been formally received at the September 2011 Work Session and Public Hearing in October 2011. Currently our UDO restricts chickens to properties of one acre or more in four zoning districts, and includes setback requirements that make compliance impossible for many residents. Senior Planner Graham stated at the November Work Session staff presented a spreadsheet to the Board summarizing research and provided staff recommendations. Senior Planner Graham stated the Board provided input on issues which have been incorporated into the prepared text amendment. Senior Planner Graham stated the Planning Board recommends this item unanimously for approval.

The Board's direction as reflected in the spreadsheet:

- Chickens do have a place in Aberdeen.
- Roosters should not be permitted.
- The amendment should address chickens only as opposed to other types of poultry.
- Number of chickens allowed – 1 per 5,000 square feet of lot area.
- Chickens to be allowed in the following districts: R30-18, R20-16, R18-14, R15-12, R10-10, RA, PUD, B-1, B-2, C-I, I-H.

Senior Planner Graham stated chickens may be brought into town for special events. Setback requirements: coops should be in backyards set back 30' from solid fencing, 100' from open wire fence, chickens may free range in backyard during the day, perimeter fence required, setbacks apply to coops only (not runs), slaughter shall not be allowed on side, property to be managed to eliminate odor and accumulation of flies, permit/site plan review would not be required, managed by complaint only.

Cindy Munn, property owner at 504 E. Main Street, stated this issue came about this past summer and her son can not attend tonight, so she is coming in his place. Ms. Munn asked if all residents will be notified once the amendment has been changed. Ms. Munn wanted to know if a property owner already had a rooster, would it be allowed or would it be grandfathered in? Planning Director Liles stated in Ms. Munn's particular situation, the rooster was not legal from the beginning, and would not be grandfathered in. Ms. Munn wanted to know what the complaint procedure would be. Planning Director Liles explained how the complaint procedure would work.

Joel Stancil, stated he never thought chickens would be a noise issue. Mr. Stancil stated he gets up before the chickens, and they do not bother him.

Billy Marts asked if this would be the final public hearing on this issue. Mayor Pro-tem Farrell stated yes.

With no further discussion or public comment, Mayor Pro-tem Farrell closed the public hearing for Zoning Code Text Amendment UDO #12-01 to Regulate the Keeping of Chickens.

3. Setting of the Agenda

A motion was made by Commissioner Parker, seconded by Commissioner Thomas, 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 January 9, 2012, Special Called Meeting on January 17, 2012, Work Session on January 31, 2012, and Closed Session on January 31, 2012.

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

5. Informal Discussion and Public Comment

Commissioner Thomas welcomed Mayor Lee McGraw to the meeting. Mayor Pro-tem Farrell asked Mayor McGraw how long he has been Mayor for Carthage. Mayor McGraw stated he has been the Mayor of Carthage for 2 months.

Robert Martin, curator for the Railroad Museum, stated he and Charles Zuhone would like to go and visit the Carolina and Western headquarters and request

donations/artifacts for the museum. The Board had no problem with Mr. Martin and Mr. Zuhone requesting donations/artifacts for the museum on behalf of the Railroad Museum.

Mayor Pro-tem Farrell stated the Fire Station made front page of The Pilot. Manager Zell stated there is a punch list left for the Fire Station, and once that is complete, then the move in process can begin.

6. Financial Report

Manager Zell stated January was a fantastic month, and we received just under \$600,000 in taxes for the month of January. Manager Zell stated overall for the General Fund, 69.20% of revenues have been collected for the year. Manager Zell stated the Water & Sewer Fund is in the black which is a great thing.

7. Old Business

None

8. New Business

None

9. Other Business

Commissioner McMurray stated the Railhouse Brewery won the Entrepreneur of the Year Award at the Moore County Chamber of Commerce Annual Banquet.

10. Adjournment

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to adjourn the regular meeting. Motion unanimously carried.

Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on February 13, 2012

Robert A. Farrell, Mayor Pro-tem

Minutes were approved
on March 12, 2012