

Minutes
Work Session
Aberdeen Town Board

November 29, 2012
Thursday, 5:30 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met on Thursday, November 29, 2012 at 5:30 p.m. for their regular Work Session. Board members present were Mayor Elizabeth B. Mofield, Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Jim Thomas, Alan Parker, and Walter Wright. Staff members in attendance were Town Manager Bill Zell, HR Specialist Jamie Dockery, Planning Director Kathy Liles, Parks & Recreation Director Leigh Baggs, Billing Clerk Shelbi O'Brien, and Senior Planner Pam Graham. Alan Moon, Frank McNeill, Jr., Maurice Holland, Sr., Pat Corso, Warren Wooten, Tim Marcham, Karen Thomas, Nina Walker, Reporter for the Fayetteville Observer Steve DeVane, and Reporter for the Pilot Tom Embrey were also in attendance for the meeting.

Mayor Mofield called the Work Session to order at 5:30 p.m.

1. 2012 Catalyst Grant

a. Public Hearing.

Mayor Mofield opened the public hearing on the 2012 Catalyst Grant.

Mr. Wooten stated this is the second public hearing in the process. This is a \$500,000 grant for the Midway and Berkley Communities to focus on the repair of the community centers. Midway wants to focus on adult enrichment and Berkley has a program for afterschool and summer for children already. The grant would be used for building rehab and parking. Midway would have erosion improvements (roadway, parking and grading). Mayor Mofield asked if the budget has already been created. Mr. Wooten stated the budget has been created and estimates have been received.

Mr. Holland asked about Midway having additional parking and needing to receive acquisition of additional land. Mr. Wooten stated the additional parking would be on the existing site. The dirt area would be graded and paved with striping to create the extra parking. The estimate is for 9 parking spaces.

Mayor Mofield asked about enrichment care for children. Karen Thomas, with Sandhills Community Action Plan, stated Midway will have

adult enrichment focus. SCAP will provide assistance with reading, job skills, and other skills to get adults ready to attend college. The center could possibly provide enrichment for the children during the summer. Mr. Holland stated this is the completion of the vision that the Midway Community had when they started the annexation process.

With no further comments, Mayor Mofield closed the public hearing on the 2012 Catalyst Grant.

b. Authorize Submittal of 2012 Catalyst Grant Application.

A motion was made by Commissioner McMurray, seconded by Commissioner Parker, to approve Resolution for the Town of Aberdeen Application for Community Development Block Grant Funding for the 2012 NC Catalyst Grant. Motion unanimously carried.

2. Gross Receipts Discussion.

Manager Zell stated recently Commissioner Wright met with Alan Moon and Frank McNeill, Jr. to discuss gross receipts and tonight Mr. Moon and Mr. McNeill are here to discuss this issue further with the Town Board.

Mr. Moon stated in June he received a letter about gross receipts that stated he owed over \$5,000. Mr. Moon stated he is a wholesaler and delivers product to stores and the stores resell. Mr. Moon thought double taxation would occur when he paid a tax on the delivery and then the store paid a tax. Mr. Moon wondered if there was anything Aberdeen Coca Cola could do to be exempt from gross receipts.

Mr. McNeill listed the types of businesses that were exempt from gross receipts according to the State of North Carolina. He stated that most of his business is outside of the Aberdeen town limits. Mr. McNeill wants the gross receipts to be fair not even.

Mayor Mofield stated the difference between wholesale and retail does make sense. Mayor Mofield stated if you are a wholesaler than you should not have to include gross receipts in the license. Commissioner Wright suggested getting the amount due for gross receipts adjusted for Mr. Moon and Mr. McNeill. A separate meeting needs to be scheduled to discuss changing the wholesale policy on gross receipts due. All of the Board agreed to defer the gross receipts due for Mr. Moon and Mr. McNeill until after the meeting is scheduled and changes to the policy are made.

3. Economic Development Project.

Mr. Corso stated Nancy Gotovi, with StarWorks, feels that the StarWorks type of business would be good in Aberdeen. Mr. Corso stated he believes this is a unique opportunity and Nancy is interested in Aberdeen and young people. Mr. Corso would like to bring Ms. Gotovi to a Work Session to discuss ideas with the Board. Mr. Corso stated that Ms. Gotovi does not have money to buy space; she would need someone who is willing to give space or who is philanthropic. Senior Planner Graham stated that if there were grant dollars for building rehab that may be a hook to get buildings. Mayor Mofield stated there needs to be a Special Called Meeting to discuss this topic.

4. Potential State Parks Acquisition of McDonald Property.

Planning Director Liles stated this discussion is to give guidance as to whether or not the Board would want staff to be included in discussion on the McDonald property. Planning Director Liles stated there has been a great deal of disagreement over value of the property in terms of appraisals. State Parks is interested in the eastern part of property. Parks & Recreation Director Baggs stated the State Parks is very interested in the property to help connect parks together. Parks & Recreation Director Baggs stated the State Parks asked if they purchased the entire property would the Town be interested in purchasing the property where the farm house is or if the Town would want to lease the property for 100 years to allow for grant applications.

Commissioner Wright asked if the Town could acquire the property at the corner by Ray's Mill Pond. Mayor Mofield asked if the adjoining property owner wants to purchase the western side. Parks & Recreation Director Baggs stated yes but they do not know the exact amount of property the adjoining property owner wants to buy. Commissioner Wright stated this would be a great piece of property if the Town could afford it. Commissioner Thomas stated the conservation easement affects the appraisal value. Mayor Mofield asked if all of the land has a conservation easement. Parks & Recreation Director Baggs stated all except a small corner. Commissioner Wright suggested offering an amount for a portion of land and ask for a donation of the balance of it. Commission Parker stated that the Town should be at the table in any and every discussion that the Town is invited to with the goal of acquiring as much property as possible and with respect to how much it's going to cost but we also need to be heavily interested in the little sliver of property.

5. Rezoning RZ #12-01 for property located at intersection of Longleaf Circle and Longleaf Drive submitted by Paige Godin.

Planning Director Liles stated Ms. Godin was not aware of property changing as a result of the UDO changes. Ms. Godin wants to get the property rezoned because she wants to subdivide the lot into two lots. Ms. Godin wants to request a rezoning for the property. Planning Director Liles suggested a joint meeting with the Planning Board and stated they are trying to transition to a slightly different process to provide better customer service by knocking about a month time period off of the rezoning process.

The Board had unanimous agreement for the Public Hearing. Agenda Item scheduled for Joint Public Hearing with Town Board and Planning Board on 12/10/12.

6. Conditional Use Permit CU #12-06 for a Major Subdivision on Wayland Road submitted by Allan Casavant.

No discussion was held. Item needs to be scheduled as Public Hearing on 12/10/12. Agenda Item scheduled for Public Hearing on 12/10/12.

7. Potential Building Reuse Grant Application for Pactiv (International Tray Pad).

Planning Director Liles stated Pactiv would like to do building modifications and slight expansion. The changes would occur in two phases with the first costing up to \$2 million and the second takes it to a total of \$4 million. The Town would need to be the applicant for the grant. There is a potential for 35 new jobs. Commissioner Wright asked how much this would cost the Town. The Town has not offered they would provide a match. Planning Director Liles stated staff is thinking the flow of money be handled in such a way as Royal Threads was but this would be discussed. The goal is to put new employees in the building in January. Commissioner Parker asked what M&E stands for on the projected budget. Planning Director Liles stated it is mechanical and engineering. Planning Director Liles stated Pactiv had asked the Town to assume the easement for the railroad crossing but that she has some concerns with that. Commissioner Wright asked if the Town would have to go under the railroad with sewer and stated it would be very costly. Agenda Item scheduled for New Business on 12/10/12.

8. Other Business.

- a. Board Appreciation Holiday Social on 12/3/12 from 6:00 p.m. – 8:00 p.m.

Manager Zell reminded the Board of the upcoming event on 12/3/12.

- b. Update on CVS

Planner Graham and Planning Director Liles stated they have met with Bob Koontz with Hobbs, Upchurch and Associates to help bring everything to fruition for Moseley Realty on this project. Planner Graham handed out a copy of the plan that was seen during the approval of the Conditional Use Permit. Planner Graham stated the developer has a retailer interested in Parcel B and they expect that parcel to come in for review so that the two parcels can be developed concurrently. Planner Graham stated the live oak tree and the mature stand of longleaf pine trees in front of the motel is what makes this issue at a stand still. Bob Koontz received direction from Town staff that if they had something that spelled out the hardship and why they could not move forward if they had to keep the trees then staff could make a decision and if Moseley Realty could bring a preliminary site plan for Parcel B that would also give staff something to base decision on. A letter was received November 28, 2012 describing the hardship and a proposal to beef up the landscaping requirements that CVS would put in. Planner Graham stated the developer is proposing to plant larger trees than required as compensation for the demolition of the existing trees.

Planner Graham stated the hardship letter referenced issues with soil. The letter is claiming that the soils are not suitable for building and there would need to be removal of soils particularly where the building is for Parcel B and possibly the parking area. Planner Graham stated the developer is claiming by removing soil and bringing new soil in that this would be impossible to save the existing trees. A copy of the soil report and description letter were sent to the Town's Consulting Engineer, Gary McCabe. Mr. McCabe's advice is the soil is not in the condition that the developers stated it is in. Planner Graham showed a sketch she created that takes the existing plan and changes the parking configuration on Parcel B to be able to save more than half the existing trees. Commissioner Wright asked if the concern was the trees in the front or back. Planner Graham stated it is the trees in the front of the existing motel. Mr. McCabe has stated that the soils issue would not prevent the trees from being saved.

Commissioner Thomas asked how many of the trees are natural and how many were planted by Sam McPeake. Planner Graham stated that most of the trees have been there a long time and are estimated to be 70 feet in height. Mayor Pro-tem Farrell asked if the developer could build on only Parcel A without coming across Parcel B. Planning Director Liles stated no

since Parcel B is designated as a truck access and DOT wants the improvements to happen to US 1 only one time.

Mayor Mofield stated the Board's contention is the trees shall remain permanently. Commissioner Thomas stated he feels that Moseley Realty can work with the Town and save the trees. Mayor Pro-tem Farrell asked about the visibility through the long leaf pines to the motel. Planner Graham stated that the trees don't interrupt the view. Commissioner Parker stated the argument is not about visibility, it's about cutting trees down for a temporary truck access and it could be moved to the rear portion of the property and not interfere with the trees.

c. Christmas Events

Parks & Recreation Director Baggs reminded the Board about the tree lighting, Supper with Santa, and parade.

9. Adjournment.

With no further items for discussion or review, a motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell to adjourn the Work Session. Motion unanimously carried.

Jamie E. Dockery, HR Specialist

Minutes were completed in
Draft form on November 29, 2012

Elizabeth B. Mofield, Mayor

Minutes were adopted
December 10, 2012