TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES

October 9, 2017– 7:00 pm
Ayden Town Hall – Second Floor Boardroom

I. CALL TO ORDER

A. Call to Order
Mayor Tripp called the meeting to order at 7:00 p.m.

B. Roll Call
Present:
Mayor Tripp
Commissioners Davenport, Harris, Mewborn, Ross and Skinner

Absent:
None

Also Present:
Steven Harrell - Town Manager
Sarah Radcliff– Town Clerk
Scott Dixon- Associate Attorney

C. Welcome Visitors

Mayor Tripp welcomed everyone to the meeting.

D. Invocation

Mayor Tripp gave the invocation.

E. Pledge of Allegiance

Mayor Tripp led the Pledge of Allegiance.

F. Approval of the Agenda

Manager Harrell stated we need to add a presentation by Chief Stanley to the agenda. Mayor Tripp stated that would be item "D." under Presentations. Motion to approve the agenda as amended.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0
Motion passed unanimously.

II. PRESENTATIONS

A. Random Acts of Kindness

Item Explanation
Donald Skinner has been nominated for the Random Acts of Kindness Award for his caring and empathetic nature.

Staff Comments
Nominee will be in attendance to accept the award.

Action Requested
Presentation of award by Mayor Tripp.

Mayor Tripp presented the award.

B. Chamber Quarterly Report

Laura Todd, Executive Director of the Chamber, provided the Chamber's first FY17-18 quarterly report. This is in keeping with the Town Board's request for such quarterly reports from the Chamber. Ms. Todd also proposed the plans for the Christmas Parade event as developed in concert with the Town's Main Street Committee. Ms. Todd stated the Board needed to appoint a staff liaison to the Chamber Board for the 2018 calendar year. She also talked about having a quarterly program called "Coffee with Commissioners" where commissioners and chamber members will meet quarterly in the evenings or on the weekend to meet with citizens to discuss needs in the community.

C. Greenville Urban Area Metropolitan Planning Organization's (GUAMPO) 2017 Active Transportation Master Plan (ATP)

Item Explanation
Representatives from the City of Greenville, Town of Ayden, Town of Winterville, Village of Simpson, Pitt County, NCDOT, ECU, PCC, Uptown Greenville, Vidant Health, local community organizations, and multiple local boards and commissions have worked cooperatively for over a year on the Greenville NC Area MPO Active Transportation Plan (the Plan) in order to make bicycling and walking a safe and accessible form of transportation and recreation.

This Plan included an open and participatory process, with more than 1,000 public surveys, more than 200 online mapping comments, and multiple outreach sessions at public meetings and events. 75% of survey respondents said say it is *very* important to improve walking, bicycling and greenway trail conditions in their community. It is envisioned that a more bicycle- and pedestrian-friendly region would offer multiple quality of life benefits to residents and visitors by increasing public safety, supporting health and the environment, expanding choices for mobility, and diversifying the strength of tourism.

This Plan serves as a critical update and improvement to the previously adopted 2011 Bicycle and Pedestrian Master Plan.

Also, included in your packet is a preliminary design for a new entrance into Ayden Elementary off Third Street. No right turn lane after all; instead a new entrance off Third Street with a long enough queue to get the line of traffic off Third Street. The exit off the school property will remain Jolly Road. The current two entrances to the school off Third Street will be removed. The $220,000 funding for this was on the agenda for approval by the N.C. State Board of Transportation for Thursday, Oct. 5th. Final design and public input still has to be accomplished after funding – the project is at least a year off.

Staff Comments
This Plan's MPO Steering Committee unanimously recommended this plan for adoption. Supporting this resolution does not dedicate specific funding, but rather indicates a willingness to support the Plan's recommended projects and programs over time. The MPO is requesting that the Ayden Town Board formally adopt the attached resolution supporting the Greenville Urban Area MPO Active Transportation Master Plan. Ryan Purtle, the MPO Coordinator, will be in attendance to present the plan and answer any questions.

Action Requested
By motion, adopt the enclosed resolution supporting the MPO Active Transportation Master Plan.

Motion to approve the resolution supporting the MPO Active Transportation Master Plan.

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
Motion passed unanimously.

D. Presentation by Chief Stanley

Chief Stanley presented an award of achievement to Corporal Chad Rown for completing his advanced law enforcement training.

III. PUBLIC COMMENTS

There were no public comments.

IV. PUBLIC HEARINGS

A. Ayden Rural Association Voluntary Annexation Request

Item Explanation
As the Town Board knows, we have received a petition requesting voluntary annexation submitted by the Ayden Rural Fire Association and the Town of Ayden. The request includes a 2-acre tract located at 1809 NC 102.

Staff Comments
This request for voluntary annexation of contiguous property must be reviewed in accordance with N.C.G.S. 160A-58.1. As such, the following steps are required:

- Board of Commissioners adopts a Resolution Directing the Town Clerk to Investigate the Sufficiency of the Petition - **August 14, 2017 - accomplished**
- Town Clerk provides Board of Commissioners Certificate of Sufficiency - **September 11, 2017 - accomplished**
- Board of Commissioners adopts a Resolution Setting a Public Hearing - **September 11, 2017 - accomplished**
- Board of Commissioners conducts Public Hearing - **October 9, 2017**
- Board of Commissioners considers Annexation Ordinance - **October 9, 2017**

Action Requested

Adopt enclosed Annexation Ordinance annexing the 2-acre tract located at 1809 NC 102.

Mayor Tripp opened the public hearing.

With no one wishing to speak, Mayor Tripp closed the public hearing.

Ayden, North Carolina

AYDEN

ORDINANCE NO. 17-18-11

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF AYDEN, NORTH CAROLINA

WHEREAS, the Ayden Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Ayden Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Ayden District Courtroom at 7:00 PM on October 9th 2017, after due notice by publication on September 29th 2017; and

WHEREAS, the Ayden Board of Commissioners finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Ayden Board of Commissioners of the Town of Ayden, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Ayden as of October 9th, 2017:

Lying and being situate in Ayden Township, Pitt County, North Carolina and being more particularly described as follows:

Being a parcel of land in Ayden Township, Pitt County, North Carolina and being bounded on the south by northern right of way line of NC 102, on the east, north and west by the lands of A.T.Venters Properties, LLC and being more particularly described as follows:

Commencing at a point in the existing Town of Ayden Corporate Limits, said point having North Carolina Grid Coordinates of N=629088.81 feet, E= 24800196.47 feet (North American Datum 1983-2011 Adjustment) ; thence N 81°44'42" E 7152.63 feet to an existing #5 rebar in the northern right of way line of NC 102, the southwestern corner of the Town of Ayden tract as recorded in deed book 3580 page 375, the point of beginning; thence from said beginning point along the western line of said tract N 02°50'37" E 295.21 feet to an existing #5 rebar , the northwestern corner of said tract; thence S 87°58'54" E 296.21 feet to an existing #5 rebar, the northeastern corner of said tract; thence S 02°30'32" E 295.15 feet to an existing #5 rebar in the northern right of way line of NC 102, the southeastern corner of said tract; thence along the northern right of way line of NC 102 N 87°59'35" E 296.20 feet to the point of beginning

containing 2.00± Acres according to a survey by McDavid Associates, Inc. titled Satellite Annexation Survey for Town of Ayden, Tax Parcel No. 82568 dated August 7, 2017.

Section 2. Upon and after October 9th, 2017, the described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Ayden and shall be entitled to the same privileges and benefits as other parts of the Town of Ayden. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Ayden shall cause to be recorded in the office of the Register of Deeds of Pitt County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Section 4. That the newly annexed territory described hereinabove shall become a part of Ward No.1 of the Town of Ayden.

BE IT FURTHER ORDAINED, by the Ayden Board of Commissioners of the Town of Ayden, North Carolina that:

The Town Clerk be and hereby is directed, to cause all official town maps to be update to reflect the Annexation which is the subject matter of the within Ordinance.

Adopted this the 9th day of October 2017 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA

Stephen W. Tripp, Mayor

ATTEST:

Sarah W. Radcliff, Town Clerk

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC

Motion to adopt ordinance 17-18-11 to extend the corporate limits of the Town of Ayden, North Carolina.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0
Motion passed unanimously.

B. Zoning Text Amendment – Town of Ayden – Article 10 (Signs)

Planning Director, Stephen Smith, presented to the Board.

Item Explanation

This is a staff initiated request for a text amendment to Article 10, (Signs). The text amendments are as follows:

Section 10-5: Signs Permitted in Residential and Conservation Districts

(C) One (1) permanent, identification sign for multi-family residential developments may be erected at each major entrance to the property. Such signs shall not exceed twenty (20) square feet in area and may be flat-mounted against the wall of an apartment building or freestanding. If freestanding, such signs will be setback a minimum of twelve (12) feet from

any property line and nor exceed four (4) **six (6)** feet in height above ground level. Illumination shall be limited to non-flashing indirect white lighting. See Section 10-15 for additional requirements.

(D) One (1) permanent, identification sign for non-residential uses permitted as a matter of right may be erected on the premises, provided such signs do not exceed twenty (20) square feet in area. If free-standing, no sign shall be located closer than twelve (12) feet to any property line nor exceed four (4) **six (6)** feet in height above ground level. Illumination shall be limited to non-flashing indirect white lighting.

Section 10-6: Signs Permitted in the B-1 Central Business District

(C) Businesses shall be permitted one (1) freestanding sign if the business is located on a corner lot or has at least one hundred (100) feet of street frontage. Any freestanding sign mounted on one or two poles shall not exceed twenty (20) feet in height or twenty (20) square feet in sign area per side, shall be located on private property such that no part of the sign shall project over any public right-of-way, and shall be setback at least twelve (12) feet from any other property line. Other freestanding signs shall not exceed twenty (20) square feet in area, shall not exceed four (4) **six (6)** feet in height, and shall be no closer to any property line or public right-of-way than twelve (12) feet.

Section 10-7: Signs Permitted in the O/I Office and Institutional District

(C) One (1) permanent, freestanding identification sign is permitted for each premise. Any freestanding sign mounted on one or two poles shall not exceed twenty (20) feet in height or twenty (20) square feet in sign area per side except as provided for a shopping center. Other freestanding signs shall not exceed four (4) **six (6)** feet in height or twenty (20) square feet in area. No freestanding sign shall be closer than four (4) feet from a street right-of-way or twenty (20) feet from any other property line.

Section 10-8: Signs Permitted in the B-2 Highway Commercial District

(C) One (1) permanent, freestanding identification sign is permitted for each premise. Any freestanding sign mounted on one or two poles shall not exceed thirty (30) feet in height or thirty (30) square feet in sign area per side except as provided for a shopping center. Other freestanding signs shall not exceed four (4) **six (6)** feet in height or thirty (30) square feet in area. No freestanding sign shall be closer than four (4) feet from a street right-of-way or twenty (20) feet from any other property line.

Section 10-9: Signs Permitted in the LI and HI Industrial Districts

(C) One (1) freestanding permanent identification sign is permitted for each premise. The area of the sign shall not exceed the total allowable sign area, but in no case exceed eighty (80) square feet in area, and shall not project more than twenty (20) feet above ground level, if mounted on one or two poles, or four (4) **six (6)** feet in height for others.

Staff Comments

A zoning compliance certificate was issued to Zion Chapel on September 12, 2016. The certificate authorized the installation of a twenty (20) square foot ground mounted sign and specified that the sign could not be higher than four (4) feet as required by the Ordinance.

Since the time of installation, concerns have arisen from Zion Chapel that the sign is to low and does not provide the visibility they are looking for.

At the Town Board's May 8, 2017 meeting, staff was directed to take this item to the Planning Board for further discussion.

At the July 17, 2017 Planning Board meeting, staff led a discussion on sign height requirements. The Planning Board was presented information on sign height requirements from several towns as well as Pitt County. After a lengthy discussion, the consensus of the Planning Board was that the staff should initiate a change to the zoning ordinance to increase the allowed height from 4 feet to 6 feet.

At the Town Board's August 14, 2017 meeting, staff was directed to initiate a change to the zoning ordinance to increase the allowed height from 4 feet to 6 feet.

At the Planning Board's September 18, 2017 meeting, the Planning Board voted 7-1 to recommend approval.

Action Requested
Conduct a Public Hearing

Make a motion to approve or deny the enclosed Zoning Text Amendment Ordinance No. 17-18-10. As a part of the motion, one of the following consistency statements must be read per state statute:

Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is not consistent with the aforementioned plan and is reasonable and in the public interest and I move to deny Zoning Text Amendment Ordinance No. 17-18-10.

- OR -

Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is consistent with the aforementioned plan and is reasonable and in the public interest and I move to approve Zoning Text Amendment Ordinance No. 17-18-10.

Mayor Tripp opened the public hearing, With no one wishing to speak, Mayor Tripp closed the public hearing.

Ayden, North Carolina

AYDEN

ORDINANCE NO. 17-18-10

AN ORDINANCE ADOPTED BY
THE GOVERNING BOARD OF THE TOWN OF AYDEN, NC
AMENDING THE TOWN OF AYDEN OFFICIAL ZONING ORDINANCE

WHEREAS, following due advertisement announcing a public hearing as provided by law, the Town of Ayden Governing Board held a public hearing on October 9th, 2017, to receive public comments regarding a request for a zoning text amendment submitted by the Town of Ayden, to modify the Sign Height requirements as shown in Article 10, Sections 10-5, 10-6, 10-7, 10-8 and 10-9; and

WHEREAS, the Town of Ayden Planning Board at its September 18th, 2017 meeting voted 7-1 to recommend approval of the Zoning Text Amendment; and

WHEREAS, the Town of Ayden Governing Board heard all evidence and arguments presented and all reports from Town Staff pertaining to said application and hereby approves the Zoning Text Amendment as requested.

NOW, THEREFORE, BE IT ORDAINED, by the Town of Ayden Governing Board that Article 10, Sections 10-5, 10-6, 10-7, 10-8 and 10-9 of the Town of Ayden Zoning Ordinance is hereby amended as follows:

*Section 10-5 (C): If freestanding, such signs will be setback a minimum of twelve (12) feet from any property line and nor exceed ~~four (4)~~ **six (6)** feet in height above ground level.*

*Section 10-5 (D): If free-standing, no sign shall be located closer than twelve (12) feet to any property line nor exceed ~~four (4)~~ **six (6)** feet in height above ground level.*

*Section 10-6 (C): Other freestanding signs shall not exceed twenty (20) square feet in area, shall not exceed ~~four (4)~~ **six (6)** feet in height, and shall be no closer to any property line or public right-of-way than twelve (12) feet.*

*Section 10-7 (C): Other freestanding signs shall not exceed ~~four (4)~~ **six (6)** feet in height or twenty (20) square feet in area.*

*Section 10-8 (C): Other freestanding signs shall not exceed ~~four (4)~~ **six (6)** feet in height or thirty (30) square feet in area.*

*Section 10-9 (C): The area of the sign shall not exceed the total allowable sign area, but in no case exceed eighty (80) square feet in area, and shall not project more than twenty (20) feet above ground level, if mounted on one or two poles, or ~~four (4)~~ **six (6)** feet in height for others.*

BE IT FURTHER ORDAINED, by the Town of Ayden Governing Board, that this ordinance shall take effect immediately upon its adoption.

Adopted this the 9th day of October 2017 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA

Stephen W. Tripp, Mayor

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC

ATTEST:

Sarah W. Radcliff, Town Clerk

Commissioner Mewborn stated Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is consistent with the aforementioned plan and is reasonable and in the public interest and I move to approve Zoning Text Amendment Ordinance No. 17-18-10.

Motion: Commissioner Mewborn
Second: Mayor Pro-tem Skinner
Discussion: None
Approved: 5-0

Motion passed unanimously.

V. CONSENT AGENDA

A. Minutes from the June 12, 2017, July 10, 2017, August 14, 2017 and September 11, 2017 Board Meetings
B. Purchase of New Security Camera and HD DVR System

Mayor Tripp stated he would like to pull item "C." off of the consent agenda and add it under Action Items so it can be discussed.

Item Explanation
The current security camera system that monitors the interior and exterior of both the Town Hall and Police Department has stopped working. The system is 10 years old and has far exceeded its expected useful life.

Staff Comments
The Chief of Police is requesting to replace the DVR and all 16 of the current security cameras with new HD Cameras and a 12 TB HD DVR to store video and audio. The Chief has requested to purchase the new security camera system from our Substance Abuse Tax Fund. The Town receives funds from the State for taxes on seized illegal drugs. These funds are restricted for use for the police department and the cameras requested are a qualifying use of these monies. The fund has a balance of $2,852.90 and cameras' cost $2,346.92. The Adopted FY17/18 Budget did not budget any expenditures from this fund for the year. Budget Amendment #2 is to provide budget dollars for the requested expenditure. This way it will not affect our operating budget line item for Supplies.

Action Requested
By motion, approve enclosed budget amendment to purchase new security camera system from the Police Department's Asset Forfeiture Fund.

Ayden, North Carolina

AYDEN

ORDINANCE No. 17-18-13
ORDINANCE TO AMEND THE TOWN OF AYDEN
FY 17-18 BUDGET ORDINANCE

Budget Amendment 2

WHEREAS, the Town of Ayden desires to purchase new security camera system for the Police Department and Town Hall from the Substance Abuse Tax Fund and said purchase is a qualifying expenditure under the guidelines of the fund.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that the FY 17/18 budget ordinance be amended as follows for the Substance Abuse Tax Fund:

24-4130-5000	Capital Outlay	$2500.00
24-8000-0000	Restricted Fund Balance	($2500.00)

BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall become in full force and effect upon adoption.

Adopted this the 9th day of October 2017.

Stephen W. Tripp, Mayor

{SEAL}

Attest:

Sarah W. Radcliff, Town Clerk

Motion to approve the Consent Agenda with a change to pull item "C." off of the consent agenda and add it under Action Items so it can be discussed.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0

Motion passed unanimously.

VI. ACTION ITEMS

A. Amend the NCEAST Alliance Agreement for FCC Work

Manager Harrell presented to the Board.

Item Explanation

The following are the next steps in process for the planned Food Commercialization Center:

- Expand local support for non-profit ENCFCC throughout the eastern region and state.
- Establish and transfer responsibility for ENCFCC to non-profit Board of Directors.
- Expansion of the ENCFCC Board of Directors to include key regional leaders.
- Establish funding mechanism to support full-time project director.
- Develop funding campaign for the construction and operation of ENCFCC.
- Partner with existing food industry to leverage assets for construction of new facility.
- Submit EDA project for design and construction of the ENCFCC.

These final steps are accomplished through the activation of the Eastern North Food Commercialization Center non-profit Board of Directors – essentially the second bullet above. The Board of Directors is now regularly meeting in its organizational efforts – to include its recent selection of a project manager, Mr. Keith Purvis, to provide the ongoing project management of this FCC project.

Staff Comments

Following up on the enclosed report that the Town Board received at its September meeting, there is a recommendation to the Town Board from the FCC Planning Committee to use the remaining balance, $48,957.38, of the Town's grant of $100,000 from the Department of Commerce to fund the project management of the planned FCC, achieved by contracting with the NC East Alliance working with the ENCFCC Board of Directors.

Action Requested

By motion, approve the attached resolution to amend the NCEast Alliance agreement with the Town to provide consulting work for the FCC.

Ayden, North Carolina

AYDEN

RESOLUTION NO. 17-18-19
Resolution to Approve and Execute Amended Agreement with NC East Alliance to Administer ENCFCC Project Management Work

WHEREAS, the Board of Commissioners of the Town of Ayden, NC, desires to retain the services of NCEast Alliance for consulting work related to the Food Commercialization Center Project to include assistance in the ongoing project management of the proposed Eastern North Carolina Food Commercialization Center (ENCFCC); and

WHEREAS, said project management shall not to exceed $48,957.38;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden, NC, that the Board:

1) Authorizes the use of current Town funds to pay NCEast Alliance for ongoing project management of the proposed ENCFCC pending receipt of reimbursement of Town's dollars from the N.C. Department of Commerce from the Town's designated state budgeted dollars for the FCCA project and authorizes Mayor Tripp to execute an appropriate amendment to the agreement with NCEast Alliance to provide the project management.

Adopted this the 9th day of October 2017 in Ayden, North Carolina.

Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:

Sarah W. Radcliff, Town Clerk

Motion to approve Resolution 17-18-19.

Motion: Commissioner Harris
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0
Motion passed unanimously.

B. Tobacco-Free Parks Policy

Tommy Duncan, Arts & Recreation Director, presented to the board.

Item Explanation
Our Town Board passed a Resolution (Supporting Tobacco-Free Parks) in March of 2014.The original plan was for Pitt County Health Department to establish an ordinance to make all Pitt County Owned Parks Tobacco-Free. The County Commissioner did not pass the ordinance. The Pitt County Health Department received some grant monies to help local Parks and Recreation Departments develop ordinances for Tobacco-Free parks, as well as, providing signage.

Staff Comments
Smoke-free parks policies have increased in popularity over the last decade. As of July 2017, more than 1400 municipalities in the U.S have enacted smoke-free parks policies. North Carolina has 33 Smoke-free parks.

Some of the advantages are:

Advantage #1: Healthy environments for healthy living. Secondhand smoke causes heart disease, cancer, respiratory problems, and ear infections and worsens asthma. Children, older adults, people with special health needs, and pregnant women are particularly vulnerable to the health risks caused by secondhand smoke exposure, even in outdoor environments.
Advantage #2: No cigarette butts or other tobacco litter. Cigarette and spit tobacco litter is poisonous to children and wildlife. Cigarette butts are the most littered item in the entire country. Americans discard an estimated *175 million* pounds of cigarette butts every year.
Advantage #3: Walking the talk. Allowing tobacco use in parks and in other recreation areas where youth and families with young children gather sends a dangerous, mixed message about healthy living. Tobacco use is not a behavior that we want to model for the children in our communities. Research shows that tobacco-free parks policies can reduce and even prevent tobacco use among kids.

Recommendation
Staff recommends that the Governing Board concur with the Arts & Recreation Commission to approve the enclosed Ordinance to prohibit smoking and the use of other tobacco products on grounds of the Ayden's parks system and in buildings located in the Town of Ayden's parks system. The effective date of the ordinance is January 1, 2018 in order to allow time for proper signage to be installed and to inform the public of the new non-smoking ordinance for the Town's park facilities.

Motion to table the item until the November meeting and to have a public hearing at that time on the matter.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0

Motion passed unanimously.

C. National League of Cities Service Line Warranty Program

Manager Harrell presented to the Board.

Item Explanation
The National League of Cities offers a program that offers insurance to water/sewer customers to cover unexpected private water and/or sewer line repairs for sewer line laterals and septic lines, water and well lines, and interior plumbing. The service is administered by Utility Service Partners, Inc. There is no cost to a municipal government for making this insurance program available and it creates an ongoing revenue stream for participating municipalities via a License Fee paid to the municipality. In North Carolina, the municipalities of Snow Hill, Mooresville, Whiteville, Sanford, Hendersonville and Albemarle offer this water/sewer repair insurance program. Contacts with the municipal managers in each of these municipalities were made and the municipalities of Snow Hill and Hendersonville replied back and both reported good results from this program.

Staff Comments
Emilie Zalfini, Business Development Manager, with Utility Service Partners, Inc., will be present at the Town Board's meeting to make a presentation on this service line warranty program. Enclosed is information on the program, Ms. Zalfini's powerpoint, and the proposed agreement with the Town of Ayden.

Enclosed is a resolution authorizing the Town Manager to execute the enclosed agreement, if the Town Board agrees to implement this service line warranty program. Note that since this agreement involves a Town of Ayden license fee to be paid to the Town by Utility Service Partners, this service line program can only be offered within the corporate limits of the Town.

The Town Board recalls that this item was presented to it last month for consideration. At the Town Attorney's suggestion, the Marketing Agreement has been amended such that under Section 3, if the Town opts to exercise its 90 day notice of termination of the agreement, the company is permitted to complete any marketing campaign for which it has received the Town's prior approval(per the agreement, all marketing campaigns require prior approval by the Town); after that, the agreement is terminated. Also, a dispute resolution clause has been added to the agreement. These have been reviewed, and approved for language, by the Town Attorney (see highlighted agreement enclosed).

Also, enclosed are two marketing templates to illustrate how the Town logo is proposed to be used by the company in its marketing campaigns.

Action Requested
At the Town Board's discretion, adopt enclosed resolution authorizing the Town Manager to execute the service line warranty program agreement.
Motion to approve the resolution 17-18-18.

Motion to table item in order to try to get a letter that doesn't have such a strong endorsement from the town.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0

D. Ordinance for Demolition of Dwelling at 315 Garris Street

Planning Director, Stephen Smith, presented to the Board.

Item Explanation

As evidenced in the attached material, 315 Garris Street (PN 09932) has been declared a public nuisance pursuant to Chapter 96.21(b) of the Town of Ayden Code of Ordinances, by which it has been determined that the property presents a threat to the public's health, safety, and welfare. Additionally, the property has been declared unsafe pursuant to Chapter 150.30 of the Town of Ayden Code of Ordinances. As such, the Town Manager or his designee has declared the property unfit for human habitation as authorized by NCGS 160A-443 and the Town of Ayden Code of Ordinances.

Staff Comments

The property has been abandoned and damaged for a considerable period. Code Enforcement Officer Wayne Hardee inspected the site on February 1, 2017 and again on May 5, 2017 and found continued deterioration of the structure. As required, Mr. Hardee sent notice to the property owner, Alexander K Kelly, and scheduled a hearing for June 5, 2017 to discuss a course of action with the owner. This hearing notice was also published in the newspaper. The property owner did not attend the hearing. No corrective actions have been taken on said property.

As authorized by the North Carolina General Statutes and Town Code, staff is recommending that the Board of Commissioners take action to cause the structure to be demolished at the Town's doing and a lien be placed upon the property.

Action Requested

Adopt Ordinance 17-18-09 Demolition of Dwelling at 315 Garris Street.

Ayden, North Carolina

AYDEN

ORDINANCE NO. 17-18-09
AN ORDINANCE ADOPTED BY THE AYDEN GOVERING BOARD
REQUIRING THE OWNER TO DEMOLISH AND REMOVE
THE DWELLING LOCATED AT 315 GARRIS STREET (Pitt Co. Parcel #09932)
IN AYDEN, NC

WHEREAS, pursuant to the enforcement of the Unsafe Building Code contained in Section 150.30-150.36 and the Model Housing Code contained in Section 152.01-152.05 of Chapter 150, Title XV of the Town of Ayden Code of Ordinances as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the NC General Statutes, the dwelling described herein has been vacated for at least one year and has been declared by the Town Manager or his designee to be unfit for human habitation; and

WHEREAS, the Board of Commissioners of the Town of Ayden hereby finds that letters were sent to the property owners by both certified mail and regular mail notifying such owners of a hearing in the Code Enforcement Officer's office concerning the condition of the dwelling in question, that such hearing occurred on **June 5, 2017,** at which time the Code Enforcement Officer found that the property in question constitutes a fire or safety hazard or is dangerous to life, health, or other property to the community and should as a result be demolished, and that it is likely that repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost in relation to its value such that removal or demolition of the dwelling is warranted under the provisions of NCGS 160A-443 ; and

WHEREAS, NCGS 160A-443 (5) states that before demolition can be required, the property owner must first be given a reasonable opportunity to bring the structure into conformity with the Model Housing Code; and

WHEREAS, the Board of Commissioners of the Town of Ayden hereby acknowledges that the property owners were given this reasonable opportunity to bring such dwelling into conformity with the Model Housing Code or to remove and demolish such dwelling before the Town seeks to effect a demolition of such dwelling itself.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that:

1. The Town Manager or his designee is hereby authorized and directed to proceed to demolish and remove the dwelling owned by **Alexander K. Kelly, 12720 Saddlebrook Dr., Silver Spring, MD 20906** said property located at 315 Garris Street, Ayden; and

2. The cost of demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the NC General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal and demolition and any balance remaining shall be deposited in Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160A-443 (6); and

3. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the Grantor Index; and

4. This ordinance shall be become effective upon its adoption.

Adopted this the 9th day of October 2017.

Stephen W. Tripp, Mayor

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC

Attest:

Sarah W. Radcliff, Town Clerk

Motion to adopt Ordinance 17-18-09.

Motion: Commissioner Harris
Second: Mayor Pro-tem Skinner
Discussion: None
Approved: 5-0

E. Ordinance to Establish a Special Project Ordinance for CDBG Grant

Finance Director, Rob Taylor, presented to the Board.

Item Explanation

At their August 14, 2017 meeting, the board agreed to move forward with the "A Quilt Lizzy" project. They approved hiring the Mid East Commission to oversee the application and monitoring of the CDBG grant (Resolution 17-18-05). A public hearing was also held and the Board resolved to convey the property to A Quilt Lizzy for $5,000 (Resolution 17-18-06). As part of the public hearing it was noted the Town would be required to abate the asbestos in the building and remove the contents/debris for an estimated total cost of $30,000. The "A Quilt Lizzy" project was not part of the Town's original 17/18 budget. To properly account for the revenue and expenditures related to this project, a budget amendment is required.

Staff Comments

It is recommended the CDBG Grant proceeds be budgeted under a special project ordinance when the project is funded. The above amendment is needed to move forward.

Action Requested

Adopt the enclosed ordinance for budget amendment 3 to amend the Town of Ayden FY17/18 Annual Budget.

Motion to adopt the enclosed ordinance for budget amendment 3 to amend the Town of Ayden FY17/18 Annual Budget.

Ayden, North Carolina

AYDEN

ORDINANCE No. 17-18-14
ORDINANCE TO AMEND THE TOWN OF AYDEN
FY 17-18 BUDGET ORDINANCE
Budget Amendment 3

WHEREAS, the Town of Ayden desires to budget for the cleanup and asbestos removal of the Lee Street building as well as the proceeds from the sale of the building and management fees to oversee the CDBG Grant to renovate the building,

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that the FY 17/18 budget ordinance be amended as follows:

General Fund

	Current	Revision	Revised
Revenues/Other Financing Sources			
Sale of Fixed Assets	$ -	$ 5,000.00	$ 5,000.00
Fund Balance Appropriated	$ 102,822.00	$ 27,750.00	$ 130,572.00
All Other General Fund Revenues and OFS	$ 4,351,203.00	$ -	$ 4,351,203.00
Total Estimated Revenues and OFS	$ 4,454,025.00	$ 32,750.00	$ 4,486,775.00
Expenditures/Other Financing Uses			
Contracts	$ 10,000.00	$ 8,000.00	$ 18,000.00
Code Enforcement	$ 30,000.00	$ 24,750.00	$ 54,750.00
All Other General Fund Expenditures and OFU	$ 4,414,025.00		$ 4,414,025.00
Total Estimated Expendituresand OFU	$ 4,454,025.00	$ 32,750.00	$ 4,486,775.00

BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall become in full force and effect upon adoption.

Adopted this the 9th day of October 2017.

Stephen W. Tripp, Mayor

(SEAL)

Attest:

Sarah W. Radcliff, Town Clerk

Motion: Commissioner Harris
Second: Mayor Pro-tem Skinner
Discussion: None
Approved: 5-0

VII. ITEMS FOR DISCUSSION

A. Non-residential Maintenance Code Discussion

Planning Director, Stephen Smith, presented to the Board.

Item Explanation
At the Board's August 14, 2017 meeting, staff was directed to bring back information on enhancements to the Non-residential Maintenance Code for further discussion.

Staff Comments
Staff polled several jurisdictions to see what others are doing to improve the look of their downtown and commercial districts. The majority of them used similar language in their codes and all had the same vision for an inviting and thriving commercial area.

Sample Language has been included in your packet for review and discussion.

Action Requested
Town Board's directions.

The Board would like the item to go before the Planning Board and come back before them as an Ordinance.

B. Discussion of Town of Ayden Stormwater Drainage

Manager Harrell presented to the Board.

Item Explanation
This discussion is intended to address steps for future addressing of our Town's stormwater drainage needs. As the Town Board knows:

1) Town has stormwater monthly fees:
Industrial - $10.00; Commercial - $ 6.00; Residential - $ 3.50

2) These fees raise approximately $120,000 annually. Currently, these dollars are part of the General Fund revenues.

3) As a point of reference, we received $606,000 in Disaster Recovery Grants from the state and Golden LEAF Foundation to address some 1800 linear feet of stormwater repairs. As you can see, $120,000 in annual stormwater fees wouldn't even address a fourth of the costs of this linear feet, let alone the remaining literally tens of thousands of linear feet of other needs in our Town.

Staff Comments
One of the criticisms the current stormwater revenue collections is their deposit into the General Fund. An alternative would be the establishment of a Stormwater Fund – an enterprise utility fund as we have with our electric and water/sewer systems. The stormwater system is in essence a utility, much like our sanitary sewer system, both collect wastewater off private properties. The operation of a stormwater system as an enterprise utility fund is a common practice in many municipalities in North Carolina. Such a fund would allow our Town to more accurately reflect the actual costs and activities of the maintenance of our stormwater drainage system.

As an adjunct to the establishment of a Stormwater Fund, we should also look at the current revenue stream from the stormwater fees being collected. This revenue stream is based on fees that were set with no correlation to what causes stormwater runoff, that being impervious surfaces; i.e., paved surfaces

and building roof tops. As a Stormwater Fund, the fund should be self-sustaining – at least to the point of addressing an established capital improvement plan and ongoing maintenance. This, of course, means the collection of enough revenue to address the drainage problems and maintenance. The fairest method for obtaining this revenue flow is the establishment of fees based on impervious surface on properties. This would of course include the impervious surfaces of Town owned property, as well.

Action Request
Recommendation it to consider new Stormwater Fund and fees during the FY18-19 budget preparations.

Mayor Tripp recommended staff contact other municipalities and get the formula for the surfaces.

C. Discussion of Town's Pay Classification Plan

Manager Harrell presented to the Board.

Item Explanation
Staff was requested to provide information about salaries of Ayden employees vs. the municipal job market in our region. The towns of Farmville, Winterville, Tarboro, Washington and Kinston were contacted for copies of their pay classification plans. All five (5) are public power communities ranging in size from 5,000 to about 20,000. Replies were received from Farmville, Tarboro and Washington.

Staff Comments
Enclosed the Town Board will find a spreadsheet comparing the salary ranges of comparable job classifications among the four (4) towns and for the average salary range across these towns. As the Board can see, the Town of Ayden compares favorably with these regional market competitors. Of 43 fulltime comparable job classifications, we have 26 that are higher than the average across the four (4) towns, ranging from 1.1% to as much as 13.2% higher. We have17 that are lower than the average, 14 of these ranging from 0.9% to 5.3%, with three (3) at 7.2%, 10.1% and 37%, respectively.

Ayden has two full time job classifications not found with the other three (3) towns, these being Sr. Facility Maintenance Worker and our combined Public Works/Utilities Director's position.

Action Requested
This item is presented to the Board as an item for discussion as requested. Staff recommends that pay plan adjustments, if any, be a part of the FY18-19 budget preparations next spring.

Commissioner Ross asked about Winterville's pay plan. Mr. Harrell stated he did not get anything back from Winterville. Commissioner Mewborn asked if Manager Harrell saw staff making any adjustments to the payscale based on this study. Mr. Harrell stated he did see potential for adjustments, but did not think they should make any changes until the next budget year. He stated he would try to get payscales from Winterville and Kinston before then.

VIII. INFORMATION

A. Staff Departmental Reports

Thomas Duncan stated staff budgeted $25,000 to add a parking lot along Washington Street at Veterans Park. Mr. Duncan said he spoke to Bobby Tripp and Mr. Tripp stated if he could use the area as his staging area from October-December for some other work he is doing in the area, he would do the work for free, with the Town only incurring costs for the asphalt, concrete, painting and signs. Mr. Duncan said this would save the town approximately $15,000 on the project.

The commissioners asked if the playground could be used during that time and if it would be usable for Veterans Day. Mr. Duncan stated they would be able to use the playground but they would still be there at Veterans Day. He said the area would be fenced in and would not affect the Veterans Day Ceremony.

Mayor Tripp stated he was concerned with traffic and trucks going back and forth and wanted to be sure they would be cautious of the children playing. Manager Harrell stated if the board was okay with this, they would proceed to get a contract drafted and signed.

Motion to move forward with a contract with Mr. Tripp to allow him to use the area in the park as a staging area in return for him providing free labor to construct the parking lot for Veterans Park.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0

IX. BOARD MEMBER COMMENTS

The commissioners thanked everyone for coming and staff for their hard work.

X. CLOSED SESSION

Attorney Dixon stated the board would go into closed session A. Pursuant to N.C.G.S. 143-318-11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting and Pursuant to N.C.G.S. 143-318-11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Motion to go into closed session at 9:12pm.

Motion: Commissioner Harris
Second: Commissioner Davenport
Discussion: None
Approved: 5-0

Motion to return to open session at 9:45pm.

Motion: Mayor Pro-tem Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0

XI. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 9:45p.m.

CERTIFICATION

Minutes from the October 9, 2017 meeting were adopted and certified this 14th day of November 2017 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA

Stephen W. Tripp, Mayor

ATTEST:

Sarah W. Radcliff, Town Clerk

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC