TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES

April 13, 2015 – 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 7:05 pm

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

Absent:
None

Also Present:
Brandon Holland – Town Manager
Sherri Scharf – Town Clerk
Phillip R. Dixon – Town Attorney
Scott Dixon – Associate to Town Attorney

C. Approval of the Agenda

Motion: Commissioner Skinner
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0
The motion to approve the agenda was approved as presented.

II. PUBLIC RECOGNITION

Mayor Tripp called Greenville Mayor Allen Thomas forward to thank him for all he has done to advocate for the SW ByPass Project, having worked with Mr. Ferrell Blount (NCDOT), and reminding the Board and citizens how he came together with Ayden, and Kinston Mayor B.J. Murphy three years ago to create the Quad East Interstate Connectivity concept. Mayor Tripp believes these transportation projects will have a strong positive impact on economic development for Ayden. Mayor Thomas stated that "we are all in the same community,"

adding that he "knows no boundaries." He ended by saying that we will all be driving on the SW Bypass loop in 2018.

Public Comments
Ms. Janis Suggs, 429 Fifth Street, addressed the Board by stating that she is still being woken between 11 pm until 2 am due to noise in her neighborhood. She admitted that although the Ayden Police Department has responded, there is a "known drug house" in her neighborhood but no investigation yields results – not even a fine. She wants a plan in writing from the Mayor and Town Manager. Mayor Tripp stated that he and Town Manager Holland had met with her just the Saturday before the meeting, and that the Town will work together to develop a strategy for dealing with the problems she is experiencing. Commissioner Mewborn agreed to be part of the effort.

II. CONSENT AGENDA

A. Open Session Minutes of March 9, 2015
B. Special Called Meeting Minutes of March 23, 2015
C. Resolution to Create Trust Fund to Accept ACT's Assets
D. Resolution of Official Intent to Reimburse (Re: Electric Substations Project)

Mayor Tripp called for a motion and corresponding vote.

Motion: Commissioner Harris
Second: Commissioner Ross
Discussion: None
Approved: 5-0
The motion to approve the consent agenda was approved as presented.

III. PUBLIC HEARINGS

Zoning Map Amendment Requested by East Carolina Community Development, Inc.

Community & Economic Planner Stephen Smith, directing Board members to the information previously provided to them, stated that the applicant, East Carolina Community Development (ECCD), is requesting that the Town of Ayden consider changing the zoning from R-8 (Residential) to MF (Multi-Family) for a 6.7 acre parcel located at the corner of Second Street and Juanita Drive (Pitt Co. Parcel #15252). He made the distinction between R-8, which provides for single-family development on lots with a minimum size of 8,000 square feet and MF, which is a multifamily district that accommodates a variety of attached single-family dwellings up to a density of 11 units per acre. ECCD proposes development of an "aging in place" housing project consisting of 8 dwellings designed for seniors 55 or older.

Planner Smith further explained that in 2005, this property was zoned from R-10 to R-8 as part of the development plans for The Arbors subdivision, which has yet to be fully developed, but does have water-sewer lines. He also stated that approving the rezoning from R-8 to MF would be consistent with the Town's Future Land Use Map as it relates to medium density residential designation (i.e. higher densities should be allowed if town services are provided).

At its March 16th meeting, the Planning Board voted 5-4 to recommend denial of the rezoning from R-8 to MF citing traffic concerns and future sewer capacity needs. Planner Smith stated that the NC General Statutes have changed in the last couple years whereby if the Governing Board "overrides" a Planning Board decision, it must provide a consistency statement noting the reasons why.

Mr. James Maides from Group IV stated that Phase I of The Arbors started 10 years ago but ended with only 19 houses having been built. He is still a landowner and pays taxes, and he stated as an Ayden landowner, he would not jeopardize this project, which he assured the Board would not involve HUD or Section 8 funding. He has been partners with the applicant, Mr. Keith Walker (ECCD), for 15 years and they have enjoyed success with similar community models. He further stated the housing and its tenants would closely model Cypress Glen in Greenville, and he passed around photos of a completed senior housing development in Jacksonville. He ended his presentation by reading aloud three recommendation letters from the Mayors of Beaufort and Jacksonville and the Town Manager of Newport, NC stating their support for similar apartment complexes in their communities.

Next Mr. Walker, East Carolina Community Development, Inc. took questions from Board members regarding how rent is calculated, who can qualify to live in one of these communities, and what amenities they can expect. Mr. Walker stated that residents would be charged rent from $335 to $450 per month, depending on whether they lived in a one or two bedroom home. ECCD pays water-sewer but not electric or cable bills. He said that the typical resident has SSI and a small pension as his/her income, lives alone, and was attracted to these affordable "aging in place" communities because they could no longer maintain their bigger homes after a spouse passed away.

In response to a question on the size of the units, Mr. Mark McCloskey of Quadrant Construction responded that a one-bedroom unit is 795 square feet and a two-bedroom is 975 square feet, but that these are stand-alone units that more closely resemble small single family houses.

Mayor Tripp then declared the Public Hearing to be open at 7:45 p.m.

Speaking "For" the Development:
None

Speaking "Against" the Development:

Mr. Leonard Gibson, 255 Second Street, questioned why the Town of Ayden wants to keep changing its zoning. He stated that the 6.5 acres comes out to Second Street, and if remaining acres were developed, there would be even more traffic. He feels that the residents won't be able to afford their utility bills. He questioned how the project is being financed.

Mr. Rudy Robinson, Jr., stated that the project sounds good and looks good on paper, but that rezoning should only be considered for the needs of the community, not the needs of the developer. He is skeptical about the "tax credits" described as the basis of financing through the NC Housing Finance Agency.

Mr. Thomas Heath, 4520 Juanita Avenue, stated that he lives on the corner of Juanita Avenue and Second Street and he wants the Town to leave the zoning the way it is.

Mr. Walker (ECCD) countered the comments by way of explanation. He stated that the NC Housing Finance Agency buys tax credits from him as an equity investor, and then use the equity to lower the rent, thereby making the housing affordable to the target audience. ECCD also receives funding from private corporations. He admitted that few developers use this model in NC, but he feels it works for them as a non-profit agency because it serves as a catalyst for growth in communities where they build. He said that ECCD never touches the tax base, but its projects expand it in local communities.

After determining that all comments had been received, Mayor Tripp closed the Public Hearing at 7:55 pm.

Manager Holland reminded the Board and citizens that any future development in the MF (MultiFamily) Zone would involve site plans that would have to be approved by the Governing Board. Town Attorney Phil Dixon reminded the Board that they must be consistent and state why it would be in the public's best interests to approve this rezoning, stating that it would be appropriate to have a motion at this point in the meeting.

After several minutes of further discussion reflective of the Planning Board's concerns, Mayor Tripp then called on the Board for a motion and corresponding vote:

Motion: Commissioner Davenport
Second: Commissioner Ross
Discussion: None
Approved: 5-0
The motion to ***deny*** ECCD's request to rezone Pitt Co. Parcel #15252 from R-8 to MF was approved as presented.

V. ACTION ITEMS

A. Change in First Alternate Commissioner for NCEMPA

During the December 3rd, 2013 Governing Board meeting and swearing-in ceremony, Mayor Tripp was ratified as NCEMPA's primary representative and Finance Director Chris Tucker was sworn in and appointed as NCEMPA's Alternate Commissioner. When Brandon Holland was appointed as Ayden's new Town Manager during the June 9th 2014 Governing Board meeting, he was sworn in as NCEMPA's Second Alternate Commissioner.

Since former Finance Director Chris Tucker resigned, it would be appropriate to fill NCEMPA's First Alternate Commissioner position with Town Manager Brandon Holland. A second alternate commissioner is not required but rather an option that a municipality may choose.

Should the Board choose to reappoint Town Manager Brandon Holland from Second to First Alternate Commissioner to the NCEMPA Board of Commissioners, ElectriCities will require him to sign an oath, and the Town Clerk is directed to send the oath along with a certified copy of the meeting minutes proving that the Ayden Governing Board approved this reappointment.

Mayor Tripp then called on the Board for a motion and corresponding vote:

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to appoint Town Manager Brandon Holland to NCEMPA's Board as Ayden's First Alternate Commissioner and Finance Director Alicia Simpson as Second Alternate Commissioner passed.

B. Consider Adopting Dog Licensing Fees

Town Manager Holland addressed the Board by stating that Pitt County had enacted a new canine ordinance and dog licensing fees that went into effect in January 2015. The new fees are designed to offset the cost of the animal shelter expansion. Currently, the canine ordinance and dog licensing fees only apply to unincorporated areas, but Pitt County wants to partner with the municipalities and share the cost; thus, they are asking the municipalities to consider adopting the dog licensing fees.

Pitt County Chairman Glen Webb attended the Ayden Governing Board meeting in February and stated that he was opposed to this action. The need for expansion at the shelter is understandable due to the increase in animals that are picked up and housed there. However, the County is not only asking the municipalities to pass along the same fees to our residents but also to provide animal control services inside city limits. Ayden already provides its own animal control services to our residents, and it has been successful in doing so. There has been some discussion and concern that Pitt County may increase its animal intake fees for those municipalities who do not adopt the licensing fees, but no specifics have been confirmed.

After discussion among Board members, the Town Manager and the Police Chief about the consequences of implementing this change, including raising the issue of it being an additional tax for Ayden residents, Mayor Tripp called on the Board for a motion and vote:

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to ***deny*** Pitt County's request to adopt its dog licensing fees was approved as presented.

DISCUSSION ITEMS

Establish Meeting Date for FY 2015-16 Budget Workshop #2

After a brief discussion, Board members agreed to hold the next budget workshop on Monday, April 27th at 6:30 pm.

VI. INFORMATION

Staff Departmental Reports (4)
Note: An updated Finance Report will be provided at the May Governing Board meeting

VII. BOARD MEMBER COMMENTS

Before the Board members gave comments, Town Attorney Phil Dixon mentioned that the condemnation of the Ayden Masonic Lodge had been filed and that, in response, the Masons had retained their own attorney whose office is in Raleigh.

Commissioner Skinner stated we should "keep our foot on the pedal" concerning neighborhood crime. He asked when we would be getting no-smoking signs in the parks, and Recreation Director Tommy Duncan replied that Ayden will soon receive the second round of funding from the Pitt County Health Department, which will be used for signage.

Commissioner Davenport inquired about signs to remind citizens that they are to use bags to pick up after their dogs in public parks.

Commissioner Mewborn stated that he lives in the same ward as Ms. Suggs and shares her concern about loud noise and crime, and that the Town still needs to send a stronger message that we will not tolerate gangs. He also distributed photos to Board members showing ditches that needed to be cleaned out in South Ayden, commenting in particular on a large ditch near Skylight Inn on Lee Street that is full of garbage. He stated that he and Commissioner Davenport did a "walk and talk" through town to examine the ditches and determined that they are still backed up. Commissioner Davenport added that we don't carry through on plans we make, and that we should work on something until it is completed.

VIII. CLOSED SESSION

Mayor Tripp called upon Town Attorney Phil Dixon who recommended that the Board reconvene its previous Closed Session that evening pursuant to NCGS 143-318.11 (a) (3) – to consult with an attorney employed or retained by the public body in order to preserve the attorney/client privilege between the attorney and the public body, which privilege is hereby acknowledged and NCGS 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.

Mayor Tripp called for a motion and subsequent vote to reconvene the Governing Board's closed session.

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to reconvene the 5:30 closed session at 8:40 pm was approved. Town Clerk Sherri Scharf was excused.

IX. RETURN TO OPEN SESSION

Mayor Tripp called for a motion and subsequent vote to return to open session.

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to return to open session at 9:45 pm was approved.

X. ADJOURNMENT

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

CERTIFICATION

Minutes from April 13th, 2015 meeting were adopted and certified this 19th day of May 2015 in Ayden, North Carolina.

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC

AYDEN, NORTH CAROLINA

Stephen W. Tripp, Mayor

ATTEST:

Sherri L. Scharf, Town Clerk