



AGENDA

April 13, 2021

Town Council Regular Meeting: Virtual Meeting

6:00 PM

- Attend using your computer or smartphone to watch and listen to the proceedings and to participate and provide comment when prompted. Register for the meeting in advance by going to: <https://attendee.gotowebinar.com/register/7506321216374059790>
- You may also download the GoToWebinar app on your tablet or smartphone at any time and attend by entering Webinar ID 359-355-251 at the time of the meeting.
- Listen to audio of the proceedings using a telephone.¹ At the meeting time, dial (562) 247-8422 then use Audio Access Code 293-192-362.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

4. PUBLIC HEARING

Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments. Council action on the following item will be included on the April 26, 2021 agenda.

a. RA-01-21: Request for the Town of Southern Pines to vacate a section of right-of-way for W. Massachusetts Avenue and S. Glover Street

Mr. John Birath, on behalf of Moore County Schools Board of Education, is requesting abandonment of a section of an eighty-foot unimproved right-of-way, 1,270-linear-feet, for West Massachusetts Avenue and South Glover Street bounded by West Indiana Avenue, West New York Avenue, and South Carlisle Street.

5. ACTION ITEMS

a. Consider Ordinance Decreasing Speed Limits on Talamore Drive and Highland View Drive to 25 MPH

The Talamore Westside HOA has submitted a petition requesting a reduction in the speed limit on Highland View Drive and Talamore Drive from 35 MPH to 25 MPH. The petition includes signatures from over 75% of the residences.

b. Consider Resolution Exempting the DFI Phase 2 Study from G.S. §143-64.31

This proposed resolution will exempt the contracts related to design services for the DFI Phase 2 study from G.S. §143-64.31, which requires solicitation and evaluation of firms to be based on qualifications and without regard to fee.

¹ Participation via telephone is listen-only and lacks the full functionality of the webinar meeting format. If you wish to view presentations and/or be recognized to speak at any point during the meeting, please plan to participate online by registering in advance of the meeting using the appropriate http link provided above, or by downloading the GoToWebinar app and using the appropriate Webinar ID provided above.

c. Consent Agenda

i. Approve Council Minutes

1. February 22, 2021 Work Session
2. March 3, 2021 Agenda Meeting
3. March 9, 2021 Regular Business Meeting

ii. Approve Amendments to the FY 2020-2021 Budget

DEPARTMENT	LINE ITEM	CODE	INCREASE	DECREASE
Legislation	Special Appropriations	10-410-6300	\$27,685	--
General Fund	Fund Balance Appropriations	10-397-1000	\$27,685	--
General Fund	Misc. Revenue	10-335-0000	\$4,352	--
Fire	Equipment Maintenance	10-530-1600	\$4,352	--

6. PUBLIC COMMENTS

7. CLOSED SESSION AS PERMITTED IN N.C.G.S. § 143-318.11

a. Council Closed Session to Discuss a Potential Economic Development Incentive

PUBLIC COMMENT PROCEDURES

The Southern Pines Town Council is committed to allowing members of the public an opportunity to offer comments and suggestions. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Council during the Public Comment Period shall be subject to the following procedures:

1. The Public Comment Period will be held at the end of the Council Meeting.
2. Each person choosing to speak is asked to keep their statements to a reasonable length in time in recognition that others may also wish to speak and that the Council requires time to conduct its normal business. The Chair retains the right to limit discussion as he/she deems necessary.
3. Speakers will be acknowledged by the Mayor/Chair. Speakers will address the Council from the lectern at the front of the room and begin their remarks by stating their name and address for the record.
4. Public comment is not intended to require the Council and/or staff to answer any impromptu questions. Speakers will address all comments to the entire Council as whole and not one individual member. Discussions between speakers and members of the audience will not be permitted.
5. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of the Town shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.
6. Any applause will be held until the end of the Public Comment Period.
7. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Clerk to the Council.
8. Speakers shall not discuss any of the following: matters which concern the candidacy of any person seeking public office, including the candidacy of the person addressing the Council; matters which are closed session matters, including but not limited to matters within the attorney-client privilege, anticipated or pending litigation, personnel, property acquisition, matters which are made confidential by law; matters which are the subject of public hearings.
9. Action on items brought up during the Public Comment Period will be at the discretion of the Council.

Agenda Item

To: Reagan Parsons, Town Manager

From: Lauren Long, Planner I

Subject: RA-01-21 Public hearing for a request for the Town of Southern Pines to vacate a section of right-of-way for W. Massachusetts Avenue and S. Glover Street

Date: April 13th, 2020

I. SUMMARY OF REQUEST:

Mr. John Birath, on behalf of Moore County Schools Board of Education, is requesting abandonment of a section of an eighty-foot unimproved right-of-way, 1,270-linear-feet, for West Massachusetts Avenue and South Glover Street bounded by West Indiana Avenue, West New York Avenue, and South Carlisle Street (See Figure 1).

II. STAFF COMMENTS:

The section of right-of way for which the petitioner is requesting abandonment is adjacent to PIN: 857216826877 (PARID 00040523), PIN: 857200821500 (PARID 00033141), PIN: 857216824550 (PARID 00031531), PIN: 857220823309 (PARID 00031530), and PIN: 857220827460 (PARID: 00036869). This section of right-of-way for both West Massachusetts Avenue and South Glover Street is not included in the Town's street listing and the Town does not receive any state street aide allocations under the Powell Bill Program for this section. There is no public transportation infrastructure located within the right-of-way for the subject portions of West Massachusetts Avenue and South Glover Street. However, there is a section of sewer that extends one-hundred and fifty-one (151) feet into the right-of-way for West Massachusetts Avenue beyond the sewer main located in the right-of-way for South Carlisle Street. As part of the drafted resolution, the Town will maintain all rights and access to the sewer that is located in the right-of-way abandonment for West Massachusetts Avenue in the form of an easement that shall be no less than 20 feet in width and shall be centered on the sewer line. In order for a public right-of-way to be abandoned, a public hearing regarding the request must be held and a resolution to vacate a section of town right of way must be adopted by the Town Council, per Unified Development Ordinance (UDO) §2.29. Town staff have prepared a draft resolution to vacate the requested section of right-of-way for South Glover Street and West Massachusetts Avenue and it has been attached to this report for the Town Council's consideration.

III. ATTACHMENTS:

1. Figure 1: Vicinity Map
2. Figure 2: Powell Bill Map
3. Figure 3: Existing Conditions Survey
4. R/W Abandonment Request
5. Public Hearing Notice

IV. TOWN COUNCIL ACTION:

Per G.S. §166A-19.24(e) action on this agenda item may not be taken until allowing a minimum of 24 hours following the remote public hearing for submittal of written comments. After closing the remote public hearing, the Town Council may still wish to discuss the abandonment request as presented in this report.

Planning staff will bring this item back to the Town Council Work Session on the 26th of April for consideration of adoption of Resolution to Vacate.

Figure 1: Vicinity Map

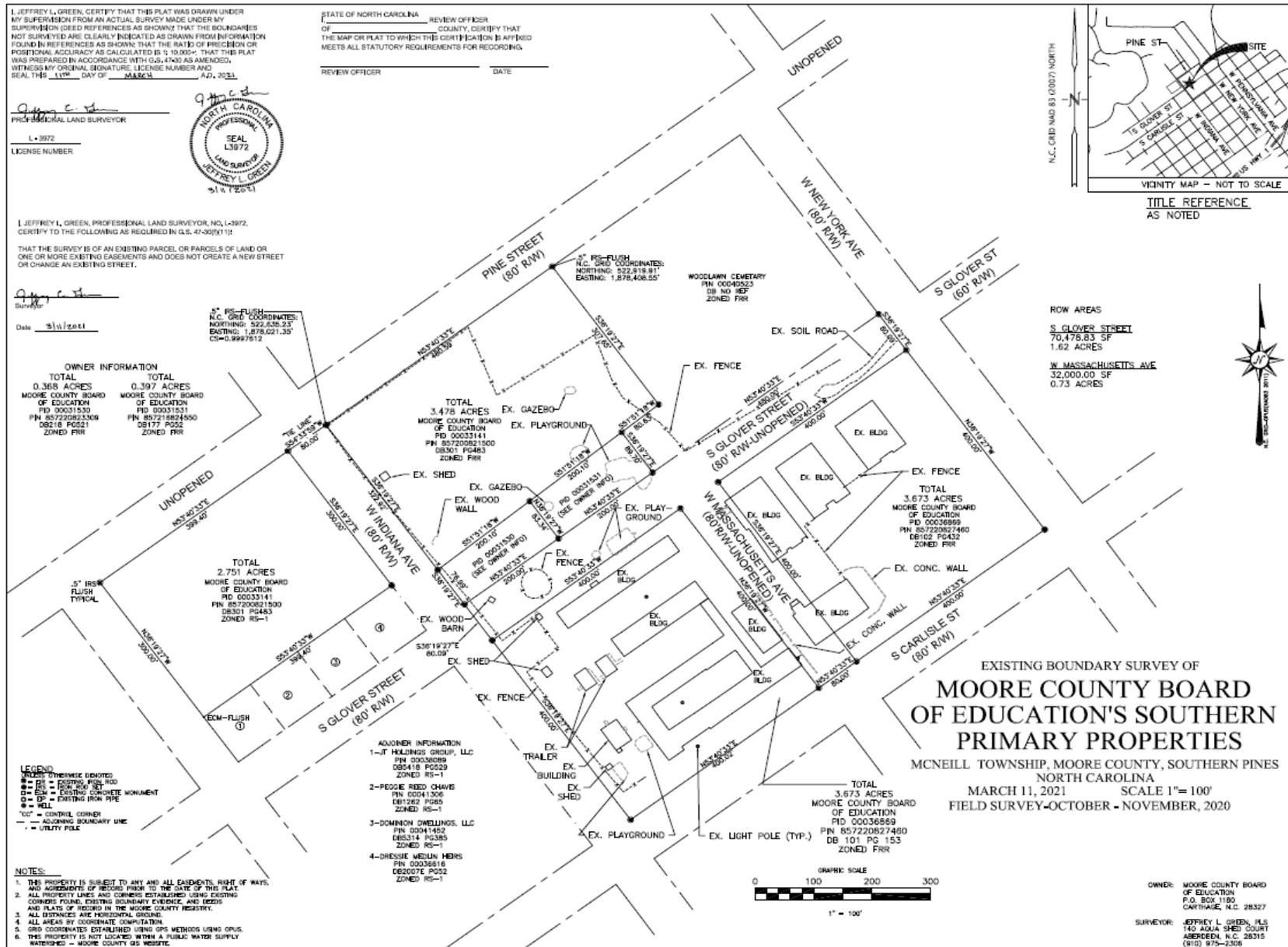


Figure 2: Town of Southern Pines Powell Bill Map



- State System Streets
- Unpaved Town Streets
- Paved Town Streets
- Private Streets

Figure 3: Existing Conditions Plat





March 1, 2021

Reagan Parsons, Town Manager
Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

Re: Right-of-Way Abandonment Request
W Massachusetts Ave. and S Glover St. through Southern Pines Primary

Mr. Parsons:

On behalf of the Moore County Schools Board of Education, we request abandonment of portions of the right-of-way for W. Massachusetts Ave. and S. Glover St. that pass through the site of the Southern Pines Primary School. These roads were not abandoned when the school property was developed as evidenced by the construction of buildings into the right-of-way and not setback the required distances. These roadways were never improved and do not provide beneficial connection to other right-of-ways.

Moore County Schools Board of Education requests that the abandonment of these roads be considered by the Town Council at its next meeting. Please advise of any fees required for public notice and advertisement.

Respectfully,

Moore County Schools

A handwritten signature in black ink, appearing to read "John Birath".

John Birath AIA, LEEDAP
Executive Officer for Operations

c: Dr. Robert P. Grimesey, Jr., via email

Encl.: Survey of Requested Right-of-Way Abandonment

NOTICE OF PUBLIC HEARING BEFORE THE
TOWN OF SOUTHERN PINES TOWN COUNCIL
TO CONSIDER THE ABANDONMENT
OF PORTIONS OF PUBLIC RIGHTS OF WAY

Notice is hereby given that a regular meeting of the Town of Southern Pines Town Council will be held via live interactive webinar on Tuesday, April 13, 2021, at 6:00 PM. A public hearing on the following request will be held during the meeting:

RA-01-21: Abandonment of portions of West Massachusetts Avenue and South Glover Street; Petitioner: Moore County Schools

Mr. John Birath, on behalf of Moore County Schools, has submitted a request to the Town of Southern Pines for the abandonment of the portions of West Massachusetts Avenue and South Glover Street that are bounded by West Indiana Avenue, West New York Avenue and South Carlisle Street.

All interested citizens are invited to attend the hearing via live interactive webinar using your computer or smartphone to watch and listen to the proceedings and to participate and provide comment when prompted by registering at the following link: <https://attendee.gotowebinar.com/register/7506321216374059790>. You may also download the GoToWebinar app on your tablet or smartphone at any time and attend by entering webinar ID 359-355-251 at the time of the meeting, or you may listen to audio of the proceedings via telephone* by dialing (562) 247-8422 and using audio access code 293-192-362.

A map delineating the properties affected will be available online at www.southernpines.net in advance of the public hearing or by emailing plan@southernpines.net.

Peggy K. Smith, Town Clerk

*Participation via telephone is listen-only and lacks the full functionality of the webinar meeting format. If you wish to view presentations and/or be recognized to speak at any point during the meeting, please plan to participate online by registering in advance of the meeting using the appropriate http link provided above, or by downloading the GoToWebinar app and using the appropriate webinar ID provided above.

Publication Dates:

March 17, 2021
March 24, 2021
March 31, 2021
April 7, 2021

**AN ORDINANCE DECREASING SPEED LIMITS ON
TALAMORE DRIVE AND HIGHLAND VIEW DRIVE
TO 25 MPH**

WHEREAS, North Carolina General Statutes (N.C.G.S.) § 20-141(b)(1) sets the maximum speed limit inside municipal corporate limits at 35 mph for all vehicles; and

WHEREAS, N.C.G.S. § 20-141(e) further states “*Local authorities, in their respective jurisdictions, may authorize by ordinance higher speeds or lower speeds than those set out in subsection (b) upon all streets which are not part of the State highway system; but no speed so fixed shall authorize a speed in excess of 55 miles per hour. Speed limits set pursuant to this subsection shall be effective when appropriate signs giving notice thereof are erected upon the part of the streets affected.*”; and

WHEREAS, the Council of the Town of Southern Pines has received a petition signed by more than 75 percent of the homeowners in Talamore Westside requesting a reduction from the current 35mph to 25mph; and

WHEREAS, the Southern Pines Town Council wishes to address the petitioned request in the interest of public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina:

Section 1. The Maximum Speed Limit on Highland View Drive and Talamore Drive shall be set at 25mph.

Section 2. Effective Date. The effective date of these new speed limits shall be May 1, 2021 or upon installation of required signage by the Town, whichever date occurs later.

Adopted by the Town of Southern Pines: April 13, 2021.

Carol R. Haney, Mayor

ATTEST:

Peggy K. Smith, Town Clerk

APPROVED AS TO FORM:

Douglas R. Gill, Town Attorney

**RESOLUTION EXEMPTING THE DFI (Development Financing Initiative)
PHASE 2 STUDY FROM G.S. 143-64.31**

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively “design services”) to be based on qualifications and without regard to fee;

WHEREAS, the Town proposes to enter into one or more contracts for design services for work on the DFI Phase 2 Study; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

Adopted this **13th day of April 2021.**

Carol R. Haney, Mayor

ATTEST:

Peggy K. Smith, Town Clerk

MINUTES

Virtual Worksession Town of Southern Pines Monday February 22, 2021, 3:00 pm

Call to Order

Absent: None

Mayor Haney welcomed new Assistant Town Manager Jessica Roth and everyone to the meeting.

Action Items for 2-22-21 Meeting

1. Consider AX-01-21: Decision regarding a Request for Voluntary Annexation of Property Contiguous to the Corporate Limits of the Town of Southern Pines; ±157.51 Acres; Petitioner: Town of Southern Pines

Town Manager Parsons explained the prior hearing actions regarding this item.

Councilman Saulnier moved to approve the ordinance to adopt the voluntary annexation request for AX-01-21 for the property as defined in the submitted metes and bounds with the ordinance in effect immediately. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

2. Consider Motion to Set March 3, 2021 Public Hearing Related to Refinancing the Installment Contract for the Fire Station

Town Manager Parsons provided a brief overview of the item with details of the original loan and refinancing to lock in lower interest rates.

Councilmember Saulnier moved to set a public hearing on March 3, 2021. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

3. Consider Budget Amendments

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Planning	Contract Services	10-540-4500	\$12,000.00	
Planning	Professional Services	10-540-4600	\$ 2,000.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$14,000.00	
Police - Patrol	Capital – Motor Vehicle	10-511-7402	\$28,000.00	
Police - Investigations	Capital – Motor Vehicle	10-515-7402		\$28,000.00

Town Manager Parsons reviewed the submitted budget amendments.

Councilmember Saulnier motioned to accept the budget amendments as presented. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

Council Updates and Discussion

4. Council Update on “Southern Pines Mural Project”

Planning Director Grieve provided an overview of the item and stated Chris Dunn of the Arts Council is present for discussion.

Mr. Dunn thanked all supporters who are participating in this project. Mr. Dunn discussed the details of similar mural projects, property owners' responsibilities with contracts, easements, commitments, liability, etc.

Mayor Haney thanked everyone involved and stated she thinks the end product would be a great addition to the town.

Councilmember Pate thanked everyone for the work that has been done to get the town to this point. Mr. Pate asked if the current request for five murals would be one mural at a time or all five at once.

Mr. Dunn stated they have no plans at this time to go beyond five murals and none have been approved at this point.

Mayor Haney inquired about the building owner's financial responsibility.

Mr. Dunn stated the owners would be expected to contribute at least one-third to one-half of the project cost. Discussion ensued regarding neighboring projects and cost estimates of previous projects.

Mayor Haney expressed concern with the amount of seed money that is being requested.

Town Manager Parsons discussed the perception of a possible community wide artist discount that may be available.

Mr. Dunn stated the current range is \$7 to \$30 a square foot which varies in size and details with the individual artists, time spans of rendering the murals, locations and specific mural details, etc. which would go through the committee process.

Mayor Haney asked how it was determined that \$2,500 would be the appropriate amount of seed money amount for each mural.

Planning Director Grieve discussed the research on the estimated price.

Mr. Dunn added that the seed money does not cover the entire cost of the mural and stated they could reduce the scope to a smaller quantity of murals at this time.

Mayor Pro Tem Murphy asked if there would be a consistent theme for the murals and how the process would work.

Mr. Dunn explained the process and that the owner would choose the theme, with the possibility of review and approval by the committee and Council.

Councilmember Saulnier prefers a consistent theme but expressed concern about the ability to legislate art. He thinks Council needs more information before approving this and does not support a financial contribution from the Town at this point.

Councilmember Lancaster stated he supports the \$2500 per mural seed money and looks at this as providing vibrancy to the town.

Planning Director Grieve discussed the procedures for reviewing and approving what an owner proposed design.

Mayor Pro Tem Murphy expressed concern regarding potential conflicts between trees and the visibility of the murals.

Town Manager Parsons stated these things will need to be addressed prior to moving forward.

General discussion ensued.

Town Manager Parsons stated if this is pursued further, legal advisement would be necessary to address some of the stated concerns.

Councilmember Saulnier and Mayor Pro Tem Murphy stated they are not in favor at this time of the Town contributing seed money. Councilmember Lancaster and Councilmember Pate stated they support the requested \$2500 seed money for each of the five murals.

After further discussion, Mayor Haney clarified that the Council is interested in the overall project, but she, Mayor Pro Tem Murphy and Councilmember Saulnier do not support providing seed money at this time.

Councilmember Saulnier stated he may be interested if the Town does not have to contribute financially. He suggested the Town should prioritize funding for the recently purchased Whitehall tract.

Director Grieve stated Council could table this item for several months and see what happens in the future budget or if the project can advance without the requested seed money.

Assistant Town Manager Roth asked Mr. Dunn if there are other avenues for the town to support the project such as loaning equipment, etc. without providing seed money.

It was unanimously decided to postpone this project until further discussion after the annual budget retreat meeting in April.

Suzanne Coleman stated the committee did a great job on this project. She stated this hasn't fully shared with the community and there may be other building owners interested in participating. Ms. Coleman supports Mr. Harbour completing his mural with his own funding.

Councilmember Lancaster asked if Mr. Harbour could move forward with his project if he's willing to totally fund it.

Planning Director Grieve explained the advantages of treating this as a larger public art project rather than one owner installing a single mural.

Town Manager Parsons stated Mr. Harbour could proceed with his mural if it is approved by Council without town funds at this time and all funding would be the responsibility of Mr. Harbour.

Mayor Haney clarified that Council is overall interested in the project, but asked Mr. Dunn to explore alternatives that do not require seed money from the Town. It was agreed Mr. Dunn would investigate options and report back to Council at a future meeting.

Katherine Shermer shared some concerns about this project.

5. Council Update on UDO Revisions per NCGS §160D

Director Grieve provided a brief overview of the item and stated he plans to submit the updates to the UDO to Council for adoption by July 1st.

Town Manager Parsons thanked Planning Director Grieve for all of the tedious work involved in this project. Mr. Parsons stated while it will look like a complete revision to the UDO, staff's intent is to only address the revisions required by state law.

Council and Director Grieve discussed some of the potential changes. It was agreed that staff would color code the various revisions so Council could more easily evaluate the impact of the changes.

6. Request for Letter of Support from Partners in Progress

Town Manager Parsons referred to a template letter that was sent over last week from Melanie Thompson and explained the Partners in Progress study and project they are working on. He stated the study resulted in Carthage qualifying for an experimental hub for entrepreneur businesses. He stated Carthage has a building available with the old buggy factory that could be a great site for a new businesses ~~owner~~ to get up and started. He explained this would not be an expense to the town, and at some point and time, if the business grows, they could grow into a larger space in Southern Pines or Moore County.

Mayor Haney spoke of a similar program with our sister city that has been very successful.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, this letter of support was approved as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

Councilmember Pate asked about the time frame for installing the new trees on Pennsylvania Avenue. Town Manager Parsons stated they were delayed to this week due to the rain

Councilmember Lancaster spoke in support of the Senate Bill 37 admitting all K-12 students K-12back to school five days a week. Mr. Lancaster asked if Councilmembers would adopt a resolution to support this bill. Discussion ensued and Council decided not to proceed with a resolution of support; Mayor Haney encouraged individuals to write Governor Cooper if they would like to personally support the bill.

No public comments were voiced.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the meeting was adjourned as follows:

Mayor Haney – Aye

Mayor Pro Tem Murphy – Aye

Councilmember Lancaster – Aye

Councilmember Pate – Aye

Councilmember Saulnier - Aye

There being no further business the meeting adjourned at 4:58 pm.

As so incorporated to these minutes of February 22, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

Peggy K. Smith, Town Clerk

DRAFT

MINUTES

Virtual Agenda Meeting Town of Southern Pines March 3, 2021, 6:00 pm

Absent: Mayor Carol Haney

Call to Order

Mayor Pro Tem Murphy welcomed everyone to the meeting.

1. Manager's Comments

Town Manager Parsons explained the board appointment process and stated they would be adding some code of ordinance amendments to the March 9, 2021 Regular Business Meeting agenda.

2. Consent Agenda

Town Manager Parsons presented the following items are proposed for the consent agenda at the March 9, 2021 Council regular business meeting. Consent agenda items are considered routine and will be enacted by one motion and without discussion.

- A. Adopt Worksession Meeting Minutes of January 25, 2021, Agenda Meeting Minutes of February 3, 2021 and Regular Business Meeting Minutes of February 9, 2021
- B. Approve Appointment to Appearance Commission

3. Public Hearing

Councilmember Saulnier motioned to open the public hearings. This motion was seconded by Councilmember Pate and carried unanimously 4-0 as follows:

Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

A. Refinancing the Installment Contract for the Fire Station

Town Manager Parsons reviewed this item and stated Finance Director Tess Brubaker-Speis researched the refinancing of the new fire station while working with BB&T to generate a savings of approximately \$388,000 due to lower interest rates. Per GS §166A-19.24(e) no action may be taken until at least 24 hours after a remote public hearing to allow for additional written comments so this item will be included on the March 9, 2021 agenda for Council consideration.

Council thanked Town Manager Parsons and Tess for their proactive work on this item.

No public comments were voiced.

Councilmember Saulnier motioned to close the public hearing. This motion was seconded by Councilmember Pate and carried unanimously 4-0 as follows:

Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

4. Future Agenda Items

- A. PD-01-21: A Four Phased Planned Development District Conceptual Development Plan to accommodate the development of mixed land uses; 175 Yadkin Road; Applicant: Rickhouse Properties, LLC; Brad and Jessica Halling
This item has been advertised for a public hearing for the March 9, 2021 agenda and will be included on the March 22, 2021 agenda for Council consideration.

Town Manager Parsons reviewed the procedures for the upcoming March 9, 2021 Regular Business Meeting Agenda.

5. Public Comments

No public comments were voiced.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 4-0, the meeting was adjourned.

There being no further business the meeting adjourned at 6:11 pm.

As so incorporated to these minutes of March 3, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

Peggy K. Smith
Town Clerk

DRAFT

Minutes

Regular Business Meeting of the Southern Pines Town Council March 9, 2021, 6:00 PM, Virtual Meeting

Call to Order

Mayor Haney welcomed everyone to the meeting.

Pledge of Allegiance

1. Manager's Comments

Town Manager Parsons provided updated information regarding upcoming sign-in information for public and Town Council meetings.

2. Consent Agenda

Consent agenda items are considered routine and will be enacted by one motion and without discussion.

- A. Adopt Worksession Meeting Minutes of January 25, 2021, Agenda Meeting Minutes of February 3, 2021 and Regular Business Meeting Minutes of February 9, 2021
- B. Approve Appointment of Cynthia Dowdy to Appearance Commission.
The Appearance Commission recommends Ms. Dowdy's appointment. This will be her initial term and will be effective March 9, 2021 – March 8, 2024.
- C. Approve Amendments to Chapter 32 of the Town Code of Ordinances
Staff recommends approving two administrative amendments to §32.031 Fees (Library) and §32.032 Digital Data; Maps.

Town Manager Parsons provided an overview of the Consent Agenda.

Mayor Haney personally thanked Cynthia Dowdy on her willingness to serve on the Appearance Commission and stated Council is very proud of their Southern Pines public library staff and stated we are blessed to have such a great institution to offer such educational programs to our citizens and neighbors.

Councilmember Saulnier motioned to accept the Consent Agenda as presented. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

3. Action Item: Consider Refinancing the Installment Contract for the Fire Station

A public hearing was held on this item at the Council's March 3, 2021 Meeting. In accordance with G.S. §166A 19.24(e), written comments were also accepted after the public hearing.

Councilmember Saulnier motioned to approved the refinancing of the installment contract for the fire department as written in the staff memo. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

4. Public Hearing: PD-01-21: A Four Phased Planned Development District Conceptual Development Plan to accommodate the development of mixed land uses; 175 Yadkin Road; Applicant: Rickhouse Properties, LLC; Brad and Jessica Halling

In accordance with G.S. §166A-19.24(e), written comments will be accepted for at least 24 hours after the public hearing. This item will be included on the March 22, 2021 agenda for Council consideration.

Councilmember Saulnier motioned to open the public hearing for PD-01-21. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier - Aye

Planner Russell provided an overview of the item while referring to the staff memo.

The applicants, Brad and Jessica Halling as well as engineer Neal Smith and other team members were present and discussed their planned development district project with a slide show presentation. The applicants stated they plan to use local farmers and providers as suppliers for their business as well as serve to honor the military platform.

Discussion ensued regarding parking, future design changes that may take place, intended uses, etc.

Mayor Haney thanked the Hallings and their team members for the great background information and presentation of the proposed facility.

Councilmember Saulnier motioned to close the public hearing. This motion was seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilmember Lancaster – Aye
Councilmember Pate – Aye
Councilmember Saulnier – Aye

No public comments were voiced.

5. Public Comments

The following written public comments were submitted by email by Sarah Jane Harmon on March 9, 2021 and were forwarded to staff and Council prior to the 6:00 pm Regular Business Meeting. Ms. Harmons' documents were received by Town Clerk and have been admitted into the record as documented in these minutes below.

"My name is Sarah Jane Harmon.
I live at 31 Village in the Woods in Southern Pines.

Thank you very much for the opportunity to speak this evening.

I would like to bring to the attention of the Town Council the Town of Southern Pines' Public Works Department plan to remove numerous large healthy mature trees within Village in the Woods in order to replace sewer lines.

This unfortunately destructive plan will adversely affect our property values and quality of life in Village in the Woods - which depend upon the uniquely attractive wooded setting of Village in the Woods.

There appear to be practical win-win options to this Town of Southern Pines tree removal plan - options which deserve consideration. Homeowners are consulting with a water infrastructure engineer in Raleigh and also with legal counsel to protect our property values and our quality of life.

Practical less destructive options to maintain sewer lines will be submitted to the Town for your consideration along with signed petitions. The text of the petition is attached.

To protect our property rights as Southern Pines homeowners and taxpayers, we are respectfully petitioning the Southern Pines Town Council to consider practical, less destructive options to maintain the sewer lines in our neighborhood and to preserve the beautiful wooded setting of Village in the Woods.

We are extremely grateful for the Southern Pines Town Council's past efforts to protect and preserve Southern Pines' beautiful trees which draw people here, define the character of the Town, and enhance our lives. We appreciate your responsiveness to citizen concerns and requests.

Thank you very much for considering our concerns and our petition.

PROPERTY OWNER PETITION TO THE SOUTHERN PINES TOWN COUNCIL

WE, THE UNDERSIGNED HOMEOWNERS IN VILLAGE IN THE WOODS, Southern Pines, NC, hereby oppose the Town of Southern Pines' Public Works Department plan to remove numerous large healthy mature trees within Village in the Woods in order to replace sewer lines.

This unfortunately destructive plan will adversely affect our property values and quality of life in Village in the Woods - which depend upon the uniquely attractive wooded setting of Village in the Woods.

There appear to be practical win-win options to this Town of Southern Pines tree removal plan - options which deserve consideration. We are consulting with a water infrastructure engineer in Raleigh and also with legal counsel to protect our property values and our quality of life.

Practical less destructive options to maintain sewer lines will be submitted to the Town for consideration.

THEREFORE, to protect our property rights as Southern Pines homeowners and taxpayers, WE RESPECTFULLY PETITION the Southern Pines Town Council to consider practical, less destructive options to maintain the sewer lines in our neighborhood and to preserve the beautiful wooded setting of Village in the Woods.

We are extremely grateful for the Southern Pines Town Council's past efforts to protect and preserve Southern Pines' beautiful trees which draw people here, define the character of the Town, and enhance our lives. We appreciate your responsiveness to citizen concerns and requests.

THANK YOU VERY MUCH FOR CONSIDERING OUR PETITION.

NAME(S):

ADDRESS:

PHONE:

"There is alchemy in beautiful trees. They speak to us in a quiet language of their own. They watch over the days of our lives and will long outlive us. No wonder the historic belief, from Plato to the Druids of Celtic lore, that divinity resides in groves of trees. They are living memory-keepers. We are charged with their stewardship."

- Mirabel Osler, Author and famous English gardener."

This concludes Ms. Harmon's submitted documents.

Councilmember Lancaster spoke regarding personal actions during the COVID-19 pandemic, related to masks, vaccines, the ability to attend school and other functions, etc. Mr. Lancaster shared his personal opinion on moving back to routine activities and referenced a research document from medical and health sciences professionals. Mr. Lancaster read highlights from various documents.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0 the meeting was adjourned as follows:

Mayor Haney – Aye
Mayor Pro Tem Murphy – Aye
Councilman Lancaster – Aye
Councilman Pate – Aye
Councilman Saulnier – Aye

As so incorporated to these minutes of March 9, 2021 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 7:09 p.m.

Peggy K. Smith
Town Clerk

**AN ORDINANCE
AMENDING THE 2020/2021 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 13th day of April, 2021 that the Operating Budget for the Fiscal Year 2020/2021 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Legislation	Special Appropriations	10-410-6300	\$ 27,685.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$ 27,685.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of April 13, 2021 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk

**AN ORDINANCE
AMENDING THE 2020/2021 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 13th day of April, 2021 that the Operating Budget for the Fiscal Year 2020/2021 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
General Fund	Miscellaneous Revenue	10-335-0000	\$ 4,352.00	
Fire	Equipment Maintenance	10-530-1600	\$ 4,352.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of April 13, 2021 as shown in the minutes of the Town Council for that date.

Peggy K. Smith, Town Clerk