



MINUTES

May 11, 2021 — 6:00 PM
Town Council Virtual Business Meeting

1. CALL TO ORDER

Mayor Haney welcomed everyone to the meeting and informed the council that Michael Carr from the Town's sister city had passed away the previous Sunday. A letter will be sent with the Town's condolences and a moment of silence was held in remembrance.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Parsons informed the council that the applicant for Public Hearing 4a on today's agenda - PD-02-21 - requests that their hearing be continued to the June 8th council meeting.

4. PUBLIC HEARINGS

Per GS §166A-19.24(e), written comments will be accepted for at least 24 hours after these virtual public hearings have been held.

a. Z-01-21: Request to rezone 0.79 of an acre on West Pennsylvania Avenue from FRR to CB; Applicant: RAB Investments, LLC

Town Planner Lauren Long presented a report on the applicant's request to rezone a 0.79-acre parcel from Facilities Resource and Recreation Conditional District (FRR-CD) to Central Business (CB) to allow a preschool, which is a by-right use in the CB District. Council will vote on this application on May 24, 2021.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was opened.

Councilmember Saulnier inquired if the same restrictions for drop off would be in place as there are now for the school and Town Manager Parsons clarified that this was strictly a rezoning so no conditions would be made.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was closed.

b. Public Hearing on FY 22 Budget

This is the first of two public hearings on the proposed FY 22 budget, which begins July 1, 2021. The second hearing is scheduled for Tuesday, June 8, followed by a vote by Council.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was opened.

Town Manager Parson provided a detailed report with slideshow for the proposed FY 21-22 budget.

Councilmember Saulnier thanked Town Manager Parsons, Finance Director Brubaker-Speis and Assistant Town Manager Roth for the clear and concise presentation, noting the time and effort put into the report.

Councilmember Lancaster questioned whether there were any expenses that could be pulled forward and funded this year. Town Manager Parsons answered that anything substantial was already discussed at the Directors Meeting and pulled forward then.

Mr. Rich of Mechanic Street commented that spending \$1 million on a land purchase while increasing the water/sewer/trash rates leaves a bad impression on the poorer members of the community.

- Town Manager Parsons clarified that the monies used to purchase the land in question come from a completely different budget than the monies used to maintain and provide the Town with utilities.
- Mayor Haney added that the land purchase in question was a "once in a lifetime" opportunity and that the land would be used by many in the years to come.

Mr. Rich asked who is monitoring the work being done by contractors on the road that leads to the Annex and is the Town ensuring that the contractor is adhering to terms to include a 10% participation by minority subcontractors?

- Town Manager Parsons replied that the Town is employing the usual monitoring of the contractor and that he has not seen any change orders or red flags that would indicate the vendors have been changed out.

Nora Bowman asked if the Community Development position shown in the General Fund & Operating section of the budget was a result of the DFI recommendation for an Advisory Board/Group?

- Town Manager Parson complimented her observation and indicated that one of job duties for that position would be to serve as the Town's representative on the Advisory Board/Group.

Lynn Thompson inquired if the Town envisioned the Advisory Board/Group being formed before or after the new Community Development position is filled.

- Town Manager Parsons stated, with Mayor Haney concurring, that the Town's intentions were to have the board/group established before the new hire started.

Lynn Thompson inquired at the decrease in special appropriation funds.

- Town Manager Parsons detailed the reasons contributing to the decrease and reassured her that the Martin Luther King Jr. weekend events were still budgeted for.

Lynn Thompson recommends forming a committee to include both town employees and town residents to evaluate diversity in hiring employees.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was closed.

c. PD-02-21: Planned Development – Preliminary Development Plan for expansion of the Multi-family Legends Apartment Community; Applicant: Morganton Park II, LLC

The applicant requests approval of a Preliminary Development Plan in order to expand the existing multi-family development, Legends Apartments, at 500 Legends Drive. The two parcels included in this application total 8.56 acres. If approved, the overall development would total 432 units on 27.03 acres. Council will vote on this application on May 24, 2021.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing was opened.

Town Mayor Haney reminded Council that the applicant has requested this hearing be moved to the June 8th Town Council Meeting.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the public hearing for PD-02-21 was postponed to June 8, 2021.

5. ACTION ITEMS

a. Consider Installment Financing Contract with First Bank for the Whitehall Tract

The Town purchased a 157-acre piece of land in December 2020, known as the “Whitehall tract.” The Town made a partial payment when it was acquired. Staff recommends using an installment financing contract authorized under N.C.G.S. 160A, Article 3, Section 20, for the remaining payment. Staff has negotiated an installment contract with First Bank, totaling \$900,000 for a term of three years at an interest rate of 1.91%. A public hearing was held on May 5.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the Installment Financing Contract with First Bank for the Whitehall Tract was approved.

b. Consider Amending Resolution No. 930

In response to Governor Cooper lifting certain restrictions related to COVID-19, with additional actions expected on June 1, staff recommends amending the Town’s Resolution No. 930. Adopted June 2020, Resolution No. 930 allowed for additional temporary signage and waived certain zoning standards during the declared emergency in order to help local businesses that were facing challenges from mandated restrictions and prohibitions.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the Amendment to Resolution No. 930 was approved.

c. Consent Agenda

i. Approve Property Use Agreement with Sandhills Sandsharks

The Sandhills Sandsharks, a local 501(c)3 non-profit, offers competitive swimming and training for the Southern Pines community. Since 2018, the Sandsharks have used the Town's pool on S. Stephens Street for year-round operations. Staff has met with members of the Sandsharks' board to negotiate a renewal agreement and recommends adopting this for an additional three years.

ii. Approve Amendment to FY 21 Budget

Staff recommends amending the FY 21 budget to transfer \$ 225,340 from Fund Balance to the Open Space Fund to make a principal payment on the Whitehall tract.

iii. Approve Amendments to Capital Project Budgets

Staff recommends amending the following capital project budgets:

- 1. \$100,000 increase to the Morganton Road Water Line Replacement Project Fund to cover an unexpected increase in the current construction project.*
- 2. \$1,125,340 increase to the Open Space Project Budget to pay the existing note on the Whitehall tract in full. This funding will include \$225,340 transferred from Fund Balance and \$900,000 in financing proceeds from the installment contract with First Bank.*

iv. Approve Council Minutes

- 1. March 22, 2021 Work Session Minutes*
- 2. April 13, 2021 Business Meeting Minutes*
- 3. April 13, 2021 Closed Session Minutes*

v. Approve Resolution Authorizing the Town Manager to Enter into an Agreement with NCDOT for the NC 22/Central Drive Bridge Replacement Project

The state Department of Transportation (NCDOT) is proceeding with a bridge replacement project on NC 22/Central Drive. The project requires acquisition of some right-of-way and various easements on Town-owned property. Staff recommends executing these agreements and deeding the right-of-way for \$20,000, as negotiated with DOT.

Upon motion by Councilmember Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the Consent Agenda was approved.

6. PUBLIC COMMENTS

Mr. Rich complimented the Sandhills Sandsharks on the great job they have been doing with improving and maintaining the pool area but questioned the lack of “children of color” using the pool and asks what is the Council doing to ensure that the pool is enticing to these children?

- Town Manager Parsons clarified that the Town, not the Sandsharks were responsible for the maintenance and operation of the Pool Park during the summer months. He added that the Sandsharks have in the past offered lessons, open swim time, lifeguards and gone after multiple grants in an effort to boost community use. Town Manager Parsons added that the Sandsharks have also hired a new coach to start this year.
- Councilmember Murphy commented that we should ensure that the community knows that all are welcome while noting that children do not play outside as they did in the past.

Mr. Rich indicated that he would poll the local community and report back to Council as to why the children were not making use of the Pool Park facilities.

Upon motion by Councilman Saulnier, seconded by Mayor Pro Tem Murphy and carried unanimously 5-0, the meeting was adjourned at 7:12 pm.

Respectfully Submitted,

Elizabeth Robertson

Elizabeth Robertson, Deputy Town Clerk