



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF SEPTEMBER 10, 2019
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, September 10, 2019 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John Bouldry, Mayor Pro Tem
Ms. Judy Davis, Treasurer
Mr. Kevin Drum, Councilmember
Mr. Jack Farrell, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Mr. Leo Santowasso, Chairman of Planning and Zoning Board
Mr. Jeramy Hooper, Planning and Zoning Board Member
Ms. Sonja Rothstein, Planning and Zoning Board Member
Ms. Beth Dunn, Village Clerk

And approximately 28 attendees, including 8 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo, called the Village Council meeting to order and Leo Santowasso, Chairman of Planning and Zoning, called the Planning and Zoning Board meeting to order.

2. Presentation of the 2019 Comprehensive Plan.

Natalie Hawkins, Assistant Manager, stated our representatives, Matt Noonkester and Brian Wright, from our consultant team of Town Planning & Urban Design Collaborative and City Explained will present the plan to members of the Village Council and the Planning & Zoning Board. Ms. Hawkins explained the 2019 Comprehensive Plan has been modified to incorporate feedback from the public, Village Council, Planning & Zoning Board Members, and Village staff since the Community Open House that was held in mid-June. The Village Council and the P&Z Board held several work sessions in July and August to review the public's feedback subsequent to the Open House and discuss changes needed to the draft Plan.

Brian Wright, with Town Planning and Urban Design Collaborative, reviewed the process up to this point in the plan. He stated there were 6,861 total engaged residents in the planning process. Mr. Wright reviewed the 7 guiding principles, which are the overarching frame work of all the different elements of the plan. Also, he reviewed the top 10 strategic opportunities and the factors that went into developing these.

Matt Noonkester, with City Explained, reviewed the five focus areas, which includes the existing extra-territorial jurisdiction (ETJ), NC Highway 5 Commercial Area, Medical District, Village Place/Rattlesnake Trail Corridor, and NC Highway 211 Commercial Area. These are areas that have been identified for opportunities for infill, redevelopment that is more in keeping with the Pinehurst, and /or retrofit. Mr. Noonkester explained an impact analysis is included for all five Focus Areas to help staff and Council make informed decisions about the future of the Village, which are presented at the highest level of impact they would anticipate. Mr. Wright explained the key theme of the plan is to retain the small-town charm and rural feel of the Village. Recommendations to retain the small town charm include: managing scale and intensity of development, preserve and enhance the Historic Village

Center, preserve and enhance open spaces and landscaping, and expand cultural resources, events, and gathering spaces.

Ms. Hawkins, stated once the Plan is adopted by Council we need to make sure we are very diligent in updating the plan. She explained the Plan updating process would begin in November at Council's pre-retreat meeting. Staff would provide Council with an annual Comprehensive Plan report to show any changes generated by the implementation of strategies. Council would then review the implementation matrix and update as necessary, in February of each year, to provide direction into the next fiscal year as we begin preparing the budget. Ms. Hawkins stated the first public hearing on the Comprehensive Plan would be held by the Planning and Zoning Board on September 23, 2019 at 4:00pm in Assembly Hall and the Council's Public Hearing would follow in early October.

3. Motion to Adjourn Planning and Zoning Special Meeting.

Upon a motion by Board Member Sonja Rothstein, seconded by Board Member Jeramy Hooper, the Planning and Zoning Board unanimously approved to adjourn the special meeting by a vote of 4-0 at 5:27 pm.

4. Reports:

Village Manager

- Announced that Police Chief, Earl Phipps, has decided not to retire, he will be staying with the Village
- Shared information he received while participating in a conference call with the NC School of Government about short term rentals. As of now, short term rental property will be treated the same as a regular rental, in regards to building inspections, with a side reference that we can't require short term rental property owners to register.
- Updated Council on staff's findings in regards to the Community Presbyterian Church (CPC). He explained the Pinehurst Development Ordinance does not require approval for a property owner to remove trees from their property, unless they are located in the Historic District. CPC received a Certificate of Appropriateness from the Historic Preservation Commission to remove the trees on their property. Also, the plans submitted and approved for the improvements at CPC do not require the Village to issue a Certificate of Occupancy for this property.

Village Council

- Councilmember Drum stated he attended a Partners in Progress meeting today and Brandon Jones with the NCDOT explained many future projects would be delayed, due to funding shortfalls created by storm-related events. Also, he reminded everyone about Live After 5 this Friday at Tufts Park.
- Mayor Nancy Fiorillo stated she attended the Pinehurst No. 6 POA meeting and noted they have received a grant for beautification of their north entrance.
- Mayor Pro Tem Bouldry stated he participated in a meeting and the subject was the Western Connector and under what circumstances or conditions would the anticipated project date of 2040 be moved up. NCDOT shared that the project is not in any State wide plan, meaning the project hasn't been prioritized nor is it on any list to move forward. The 2040 date, set for the Western Connector, was a conceptual date used for the Moore County Transportation Plan. The data that was used for this project was collected in 2013 and NCDOT is looking at possibly going back and completing a more current data analysis.

5. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- Approval of Draft Village Council Meeting Minutes.
 - August 5, 2019 Special Meeting (Comp. Plan Discussion)
 - August 12 & 13, 2019 Special Meeting (Library Interviews)
 - August 12, 2019 Special Meeting (Comp. Plan Discussion)
 - August 13, 2019 Regular Meeting

End of Consent Agenda.

Upon a motion by Councilmember Davis, seconded by Mayor Pro Tem Bouldry Council unanimously approved the Consent agenda by a vote of 5-0.

6. Motion to Recess Regular Meeting and Enter into a Public Hearing.

Upon a motion by Councilmember Farrell, seconded by Councilmember Davis, Council unanimously approved to recess the regular meeting and enter into a public hearing, by a vote of 5-0.

7. Public Hearing No. 1

Jeff Batton, Assistant Village Manager, explained staff recommendation to abandon the public right-of way on Denichilo Court, which is a paper street located at the Pinehurst Beach Club. Being there is no existing roadbed on the right-of-way, no lots and no need or intention to add a road, staff believes it is in the Village's best interest to abandon the right-of-way and allow it to be absorbed by the adjacent property-owner(s) as provided under State Statute. Pinehurst, LLC, is owner of the all of the adjacent property and thus ownership would revert to them and this action would make this approximate .57 acres of property taxable to the Village.

No public comments were made.

8. Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Bouldry, Council unanimously approved to adjourn the public hearing and re-enter the regular meeting, by a vote of 5-0.

9. Discuss and Consider Ordinance 19-15 to Abandon the Right-of-Way on Denichilo Court.

Upon a motion by Councilmember Davis, seconded by Councilmember Farrell, Council unanimously approved Ordinance 19-15 abandoning the right-of-way on Denichilo Court, by a vote of 5-0.

10. Discuss and Consider Ordinance 19-16 to Adopt an ADA Self-Assessment and Transition Plan.

Jeff Batton, Assistant Village Manager, explained The Americans with Disabilities Act provides protection to all persons with disabilities in areas of employment and government services. As part of this act all local governments in North Carolina are required to have an ADA Self-Assessment and Transition Plan adopted and filed with the Civil Rights Division of the North Carolina Department of Transportation. Mr. Batton explained after reviewing old files, staff determined the Village of Pinehurst does not have a current plan and thus one was developed. The major items of interest in the plan are to adopt the required "Notice Under the American With Disabilities Act" and the formalized "Grievance Procedure under the ADA." for individuals who wish to file complaints alleging discrimination based on disabilities in the provision of Village services, programs, activities or benefits.

Mr. Batton stated this plan addresses those requirements and will also phase in various accessibility enhancements around public buildings and public sidewalks. Mr. Batton noted none of these are items are considered major projects, nor should they be expensive to implement. Councilmember Farrell asked if the clay paths would be considered walkways and ADA compliant. Mr. Batton stated the clay paths are not considered ADA assessable and we would have to provide a like service that is ADA compliant, which we currently have with our brick sidewalks.

Upon a motion by Mayor Pro Tem Bouldry, seconded by Councilmember Drum, Council unanimously approved Ordinance 19-16 adopting an Americans with Disabilities Act Self-Assessment and Transition Plan for the Village of Pinehurst, by a vote of 5-0.

11. Discuss and Consider a Budget Amendment and Contract for the Library Services Needs Assessment.

Natalie Hawkins, Assistant Village Manager, explained this item is for Council to consider a budget amendment in the amount of \$45,000 to fund a Library Services Needs Assessment and consider a contract with Library Systems and Services, LLC to perform the assessment. The proposed contract indicates contract fees of \$35,053 and contains the Statement of Work, which will be completed in four phases:

1. Review existing conditions and identify best practices - onsite kickoff with a Library Needs Assessment Committee; an assessment of current library operations mapped to best practices.
2. Solicit broad community input - three days onsite with personal interviews, focus group meetings, community conversations, and an online survey.
3. Analyze needs assessment findings and formulate a recommendation - compile and analyze data and information collected, including a community wide survey that is administered by ETC after initial findings are prepared.
4. Prepare and deliver a written Library Services Needs Assessment Report - onsite presentation of the final Library Services Needs Assessment Report to the Village Council.

Ms. Hawkins explained the assessment will likely take approximately 23 weeks or close to 6 months to complete and the start date of the contract has not yet been finalized. Based on direction from the Village Council, Library IQ has incorporated the addition of a community-wide, random survey in Phase 3 of the assessment process. While the Village proposes to contract directly with ETC to conduct a community-wide survey, Library IQ will formulate the survey, analyze the findings, and incorporate the findings in the final

Library Services Needs Assessment. The Village Manager has the authority to execute the contract with ETC if the attached budget amendment is approved.

Upon a motion by Councilmember Farrell, seconded by Councilmember Drum, Council unanimously approved Ordinance 19-17 amending the general fund budget to allocate funds to complete a Library Services Needs Assessment and to authorize the Mayor or her designee to execute a contract with Library Systems and Services, LLC in the amount of \$35,053 to complete the Library Services Needs Assessment subject to contract finalization and approval by staff and Village Council, by a vote of 5-0.

12. Discuss and Consider Amending the Position and Pay Classification Plan

Angie Kantor, Human Resources Director, explained our Infrastructure Superintendent has resigned therefore giving us the opportunity to restructure that department. Ms. Kantor stated that this position not only supervised the work of the infrastructure crew, but performed engineering technician responsibilities. Mike Apke, Public Services and Engineering Director, and Jeff Batton, Assistant Village Manager, requested this position be reclassified in order to better serve the current needs of the department and the Village. Ms. Kantor stated based on the request, staff would like to make the following recommendations: 1) change the title from Infrastructure Superintendent to Engineering Technician, 2) change the pay grade for the position from pay grade 24 to pay grade 21, and 3) change this position from exempt to non-exempt. Ms. Kantor explained these changes would also remove the supervisory responsibilities and refocus the responsibilities on plan review, site inspections, and oversight of the contractors performing infrastructure work.

Upon a motion by Councilmember Davis, seconded by Councilmember Farrell, Council unanimously approved Resolution 19-18 amending the Policy of Administration of the Position Classification and Pay Plan the Village of Pinehurst, by a vote of 5-0.

13. Other Business.

Councilmember Davis asked for an update on the traffic impact from the temporary Pinehurst Elementary School. Jeff Sanborn, Village Manager, stated everything seems to be working ok and we are not seeing any adverse impacts around Village Hall.

14. Comments from Attendees.

- Frank Pacifico, 155 East Mackenzie Road, thanked Jeff Batton for getting the mosquito pond fixed over by the apartments. He also stated the traffic back up from the Elementary School on his road causes some issues, for a short period of time, at the end of the school day. He believes the Village should have informed residents, on his road, about this before school started.
- Carol Coates, Edinburgh Lane, asked what effects the Comprehensive Plan would have on the National Landmark Status of Pinehurst.
 - Councilmember Farrell explained the Village will cooperate with the National Park Services when there is a pending change to anything in the Historic District. If any change ever came up it would be up to the community to decide which is more important, the improvement or a status.
- John Hoffman, Everett Rd., stated Community Presbyterian Church is still continuing to violate Chapter 9 of the Pinehurst Development Ordinance every Sunday. Illegal parking continues to occur on the old WEE School site and also illegal parking creep on Everett Road. He stated it seems it is selection of the enforcement of the PDO.
- Bill Palmer, of Pinewild, stated he doesn't see any limitations or constraints within the Comprehensive Plan, such as budgetary constraints.
 - Mayor Nancy Fiorillo stated that our constraints are traffic, water and sewer infrastructure, as the Village wouldn't be the ones building the items in this plan. Councilmember Davis noted that there is a matrix in the back of the Comprehensive Plan which shows the financial and staff impact.
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15. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Bouldry seconded by Councilmember Farrell, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 6:52 pm.

Respectfully Submitted,



Beth Dunn,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement