



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF AUGUST 11, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a Work Session at 8:20 p.m., Tuesday, August 11, 2020, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Treasurer
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 4 attendees, including 3 staff.

1. Call to Order.

Mayor John Strickland, called the Council work session to order.

2. Discuss Public Nuisance Ordinance

Jeff Sanborn, Village Manager explained due to recent concerns about public disturbances in and around our residential neighborhoods associated with parties and amplified music, staff is suggesting updates to our noise nuisance ordinance language which are intended to create more clear standards and to enhance deterrence and enforceability. Mr. Sanborn explained that the draft language would prohibit sustained noise levels of 40 decibels between the hours of 10:00 p.m. and 7:00 a.m. or 55 decibels at other times that can be measured from any nearby residential property. Mr. Sanborn explained that sustained levels would be defined as a continuous measurement over the threshold for at least 10 seconds, or at least 15 instances of measurements over the threshold in a 60 second period. Mr. Sanborn explained the penalty for a violating the ordinance could be \$100 fine and/or upon conviction guilty of a class 3 misdemeanor. Additional penalties could apply if the person committing the offense is under contract with the legal owner of the property on which the violation occurs, the owner will receive a written warning after the first violation involving a single piece of property during a 24 month period. Mr. Sanborn explained that most of the penalties for code violations in the current Municipal Code is \$50, such as firing a gun in city limits. Council discussed various levels of penalties that could be imposed for the noise ordinance violation and the comparison to other codes violations within the Municipal Code. Natalie Hawkins, Assistant Village Manager, explained that the US Constitution prohibits civil penalties that are grossly disproportionate to the corresponding offense. She also noted that the guidance from the School of Government is that as long as the penalty is not exceptionally large compared to other civil penalties imposed by the government then the penalty would be acceptable. Councilmember Hogeman shared ideas she had in regards to the noise ordinance and proposed penalties. Staff will continue to work on the draft language for the ordinance and Council will discuss further at the next Council work session on September 8, 2020.

3. Other Work Session Business.

- Mayor Strickland stated they had a follow up with the National Park Service and the study on Pinehurst will take 3 years.

4. Potential Future Work Session Agenda Items.

- ETC has finished the Library survey, they received 410 completed surveys. Council and staff discussed potential dates to hold a separate meeting to receive the results and a presentation from the library consultants.

5. Motion to Recess Work Session and Enter Closed Session.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to recess the work session and enter a closed session pursuant to NCGS §143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations., by a vote of 5-0.

6. Closed Session.

Council held a closed session pursuant to NCGS §143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

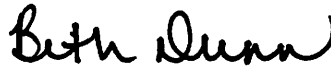
7. Motion to Recess the Closed Session and Re-enter Work Session.

Upon a motion by Mayor Strickland, seconded by Councilmember Boesch, Council unanimously to adjourn the closed session and re-enter the work session, by a vote of 5-0.

8. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to adjourn the work session, by a vote of 5-0, at 9:55 p.m.

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

Cancelled