



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JULY 25, 2017
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, July 25, 2017 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Ms. Claire L. Berggren, Councilmember
Mr. John Bouldry, Treasurer
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 44 attendees, including 11 staff and 1 press.

1. **Call to Order.**
Mayor Nancy Roy Fiorillo called the meeting to order.
2. **Invocation and Pledge of Allegiance.**
Pastor Dean Engebretson from Christ Community Church led the invocation and Mayor Fiorillo led everyone in the Pledge of Allegiance.
3. **Reports:**
 - Manager**
 - Jeff Sanborn explained Assistant Village Manager Natalie Hawkins is out for a few weeks due to surgery and he wished her the best during her recovery. Mr. Sanborn also noted that Kevin Reed, Director of Planning and Inspections, left the Village for a job at Pine Knoll Shores and Principal Planner Bruce Gould has done a great job stepping up during this transition time. Mr. Sanborn said staff is going through the hiring process and we hope to have this position filled within the week.
 - Council**
 - John Bouldry said we had a good meeting last week to start the long range planning process and working toward a comprehensive master plan which is a multi-year effort.
 - Nancy Fiorillo reminded everyone that the US Kids Tournament starts tomorrow and the parade is August 1.
4. **Presentation of a resolution honoring John Gaida for his work on the Pinehurst Community Watch.**
Mayor Fiorillo presented the resolution to John Gaida honoring him for his years of service on the Pinehurst Community Watch board for the Village of Pinehurst.
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.

 - A. Budget Amendments Report
 - B. Public Safety Reports.

- Police Department Fire
Department
- C. Approval of Draft Village Council Meeting Minutes.
May 23 Regular Meeting
June 13 Work Session
June 27 Regular Meeting

End of Consent Agenda.

Upon a motion by Councilmember Bouldry, seconded by Councilmember Berggren, Council unanimously approved the Consent Agenda by a vote of 5-0.

6. **Consider a resolution appointing Fred Engelfried as the Chairman of the Board of Adjustment.**
Council discussed the opportunity to appoint Fred Engelfried as the Board of Adjustment Chairman now that Leo Santowasso is the Chairman of the Planning and Zoning Board. Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Council unanimously approved Resolution 17-21 approving Fred Engelfried as the new Chairman for the Board of Adjustment by a vote of 5-0.
7. **Discuss the "Brunch Bill" and consider an ordinance allowing the sale of alcoholic beverages before noon on Sunday at licensed premises.**
The Manager explained Council has been requested by several business/restaurant owners to consider the new "Brunch Bill" after the approval by the General Assembly. Council discussed the request to allow the sale of alcoholic beverages starting at 10:00am on Sundays at licensed premises. Upon a motion by Councilmember Bouldry, seconded by Councilmember Berggren, Council unanimously approved Ordinance 17-11 allowing the sale of alcoholic beverages beginning at 10:00am on Sundays at licensed premises in the Village of Pinehurst by a vote of 5-0.
8. **Consider a budget amendment reappropriating funds from FY 2017 to FY 2018.**
John Frye, Director of Financial Services, explained the need for Council to consider the annual re-appropriation of funds from the FY 2017 Budget that staff requests be rolled forward to the FY 2018 Budget. Mr. Frye shared information on the items included in the re-appropriation request. Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council unanimously approved Ordinance 17-10 re-appropriating funds from the FY 2017 budget to be rolled forward to the FY 2018 budget by a vote of 5-0.
9. **Manager's quarterly transportation report for the Village of Pinehurst.**
Village Manager Jeff Sanborn explained the purpose of the quarterly transportation report. He shared a list of projects extracted from the Moore County Transportation Committee Highway CTP List which noted the project names, sections of roads, a description of the project and the proposed cross section. Mr. Sanborn noted a meeting on August 23 with the NC DOT regarding the traffic circle and new recommendations that will be presented for consideration at this meeting. Councilmember Bouldry suggested a need to emphasize Highway 5 to focus on generating workable solutions sooner than later.
10. **Discuss the Community Center.**
Mark Wagner, Director of Parks and Recreation, thanked staff for their help gathering the information needed for this presentation on the Community Center. Mr. Wagner shared the recommendations that came out of the 2014 Indoor Recreation Facilities BIRDIE. Mr. Wagner also shared a summary and update of data the Village has collected including the Community Survey data from 2015 and 2016, demographic projections, and participation rates through June 30, 2017. Mr. Wagner explained this facility would serve all ages and populations in the Village of Pinehurst. Mr. Wagner shared additional data regarding the summer day camps. He also explained potential program expansions if a Community Center is constructed to serve adults, seniors, and youth. Mr. Wagner explained the assumptions used to project revenues and expenses for the \$4.1 million Community Center. Council held a discussion about the Community Center and the information presented. Council determined to make a decision in September and offered for the public to speak on this during any public comment period at all regular meetings.
11. **Discuss an ordinance or other action to suspend enforcement of the "prohibition on Banks, Credit Unions, financial services and professional services on the first floor in the village center and the provisions for non-conforming uses after being vacated for a period of time" in the Pinehurst Development Ordinance.**
Principal Planner Bruce Gould explained for more than 20 years the Village has a prohibition for office, bank or other similar uses on the ground floor within the Village Commercial Zoning District (Village Center). He explained in addition to not allowing these

uses on the ground floor in the current Pinehurst Development Ordinance, the Village also has a non-conforming use provision that indicates if the space is converted to a conforming use, a non-conforming use shall not be re-established. Additionally, if a non-conforming bank, credit union, financial service or professional use ceases to operate within the Village Commercial Zoning District for more than 30 days, only a conforming use may be established. Council held a discussion about these restrictions and the history of the restrictions.

The Council opened the floor for public comments:

- Tom Stewart explained his history in Pinehurst and that he purchased the Harvard Building and has owned it for 20 years. He explained a bank had been there for 27 years which was vacated 9 months ago. He found a tenant that was agreeable for the space. He explained that he continued to maintain an office in the PNC bank space after they vacated the space, based on the ordinance. He was told he could not reconfigure the space to make it a reasonable retail space. He said the tenant he found is a good representative for the Village and he asked the Council not to take away his tenant.
- Bart Boudreaux who lives at 10 Everette Road said the retail businesses make downtown vibrant and Council can control zoning and it is a critical success factor in the area. He said we need to make it retail-centric and not business-centric to protect the downtown business model. He thinks the Village should address the parking issues in downtown and the businesses should maximize their open hours and better manage their employees parking.
- Katrin Franklin thanked the Village Council for their work and said she has a business in Pinehurst for two years and she sees a lack of enforcement such as the parking situation. Katrin explained the need to co-exist and find the best combination of office and retail to protect all small businesses in the Village. She urges the Village Council to focus on enforcement.
- John Taylor asked Council to consider the law of supply and demand with retail businesses and the fact that banks are not going to be coming back to the Village. He said the elephant in the room is the ratio of spending from resort guests and spending from residents. He said to be careful throwing up restrictions when the problem is not excess demand.
- Marty McKenzie said owning a couple of old buildings is very expensive and he has practiced this rule not to rent to anyone that is non-retail. He said the number one activity is tourism. He said we need focus groups for the people that are involved here and are doing business here. He said Pinehurst No. 2 and the Village are the two most important assets.
- Judy Davis said this is a slippery slope and this needs to be taken to the Planning and Zoning Board.

Mayor Fiorillo said for staff to note that Mr. Stewart has used this as an office since it was vacant which is what happened at 100 Market Street. Council talked about the importance of dining and shopping in our Village. Council held a discussion about this issue and determined for Mr. Stewart to submit his application to staff to review.

12. Discuss and consider awarding the contract for road resurfacing.

Assistant Village Manager Jeff Batton and Infrastructure Superintendent Ralph Bowen presented Council with the bid information for the road resurfacing. Mr. Batton gave an explanation about the Powell Bill and the money that the Village also contributes to resurfacing each year and the process the Village takes to rate the road segments to prioritize resurfacing projects.

Mr. Bowen explained Riley was the lowest responsible bidder with a contract that would initially include approximately 3 miles at \$513,000 with additional mileage likely added. He said three other contracts have already been entered into with other contractors whose amounts are below the threshold for Council action. Upon a motion by Councilmember Berggren, seconded by Councilmember Campbell, Council unanimously approved to authorize the Mayor or her designee to enter into a contract with Riley Paving for the FY 2018 resurfacing package in the amount of \$513,000 and that the Manager is authorized to approve up to an additional \$150,000 in resurfacing so long as the quantity is at the existing bid's unit pricing and the budget for resurfacing is not exceeded by a vote of 5-0. Jeff Batton also gave an update on the McIntyre Road streetscape project.

13. Other Business.

- None.

14. Comments from Attendees.

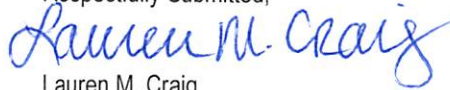
- Tom Campbell said he was pretty closely associated with Parks and Recreation since 2002 and he said the community center has been very thoroughly vetted and his vote is with the community center.
- Frank Pacifico asked about the maintenance people working on a state highway and he said McIntyre street needs to be taken better care and other Village streets need the attention. He said Community Presbyterian requested on street parking

- that was denied but the Village is creating on street parking on McIntyre.
- John Taylor said the community center presentation was very interesting and he has studied the progression of this project over the years. He commented about the financial side of the project and said it would be an interesting survey question to say would I rather have a community center or a tax refund. He said the Council has not discussed what else you could do with the money if you don't do the community center project.

15. Adjournment.

Councilmember Campbell moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Cashion and carried unanimously. The Regular Meeting adjourned at 7:01 p.m.

Respectfully Submitted,



Lauren M. Craig
Village Clerk

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.