MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JUNE 28, 2016

395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
4:30 P.M.

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, June 28, 2016 in the Assembly Hall of the 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, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Lauren Craig, Village Clerk

Excused Absence: Mr. Clark Campbell, Councilmember

And approximately 26 attendees, including 8 staff and 2 press.

1. **Call to Order.**
Mayor Nancy Roy Fiorillo called the meeting to order.

2. **Invocation and Pledge of Allegiance.**
Dr. John Jacobs from the Village Chapel led the invocation and Jordan Greenblatt and Joseph Murden from Boy Scout with Troop 7, led everyone in the Pledge of Allegiance.

3. **Reports.**

Manager

- The Splash Pad Grand Opening was held this past week and the minor issues have been fixed due to a bad valve and electrical problem.
- Had a good meeting with NCDOT regarding the traffic circle improvement project and timing with the next US Open.

Council

- Councilmember Cashion said there was a second NCDOT meeting regarding the Midland Road Corridor Study and there will be two roundabouts added at the intersection of Midland Road and Airport Road and Midland Road and NC 22 as well as a decrease in the number of cut-throughs.
- Mayor Fiorillo attended the amateur radio's operators group 24 hour contest.

4. **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. Consider resolutions reappointing members to the Conservation Commission (Cox, Rowell, Strine).
B. Consider a resolution honoring a member of the Community Appearance Commission (Cambreleng).
C. Approval of Draft Village Council Meeting Minutes.
May 10 Work Session
May 11 Budget Work Session

May 24 Regular Meeting
May 24 Closed Session

D. Public Safety Reports.
Police Department
Fire Department

End of Consent Agenda.
Councilmember Cashion moved to approve the Consent Agenda. The motion was seconded by Councilmember Berggren and passed unanimously with a vote of 4-0.

5. **Meet Michael Marsh and consider a resolution appointing him to the Board of Adjustment Planning and Zoning Board.**
Council met with Fred Engelfried, Chairman of the Planning and Zoning Board, and Michael Marsh who is a candidate for the Planning and Zoning Board and Board of Adjustment vacancy. Upon a motion by Councilmember Berggren, seconded by Councilmember Bouldry, Council unanimously approved Resolution 16-19 appointing Michael Marsh to the Planning and Zoning Board and Board of Adjustment by a vote of 4-0.

6. **Presentation of the NEW Village website and MY VOP mobile app.**
Assistant Village Manager Natalie Dean and Chief Information Officer Jason Whitaker presented Council and the public with the new Village website and the MY VOP mobile app. Ms. Dean explained the purposed of MY VOP to address service requests and noted this is a free app that can be found in the Apple Store and Google Play. Ms. Dean provided a demo of the MY VOP mobile app and how to submit a service request. Mr. Whitaker gave a demo of the new Village website and thanked the team of staff who served on the website redevelopment team. Council thanked the staff for their hard work on these two projects and the audience gave a round of applause for the new website and mobile app.

7. **Presentation on the Police Department Staffing BIRDIE.**
Police Chief Earl Phipps presented the Police Department Staffing BIRDIE report. This BIRDIE team evaluated opportunities to allocate resources more effectively to decrease the need for off duty personnel and increase proactive policing. He explained the team evaluated: current staffing levels and the short term and long term staffing needs of the department, using departmental Computer Automated Dispatch (CAD) historical data; local, state and federal comparable data; best practices; input from police department staff; and feedback from employee, resident, and business surveys.

Chief Phipps noted after evaluating alternative solutions, the BIRDIE team recommends the Village take the following actions to allocate resources more effectively:

1. Restructure the Police Department.
2. Minimize non-essential calls for service (CFS), using technology when possible.
3. Convert the Reserve Officer Program to a paid program.
4. Seek ways to further utilize the Citizens on Patrol program.
5. Further evaluate a police take home vehicle program.

Council thanked the team for this evaluation.

8. **Consider a request for a special non-residential intensity allocation for proposed office building at 75 Trotter Hill Circle.**
Kevin Reed, Director of Planning and Inspections, explained SM II, Inc. on behalf of James Kirkpatrick, is seeking a Special Intensity Allocation (SIA) pursuant to Section 8.3.3.5(b)(2) of the Pinehurst Development Ordinance (PDO) for the construction of a 8,704 square foot office building and associated parking, walkways and site improvements. The new building will be located at 75 Trotter Hills Circle and is located within Watershed II (WS II). He explained it is the practice of the Planning and Inspections Department to bring requests for Special Intensity Allocations (SIA) before Village Council for approval when site plan approval is imminent.

Upon a motion by Councilmember Berggren, seconded by Councilmember Bouldry, Council unanimously approved the special intensity allocation for the proposed office building at 75 Trotter Hill Circle as outlined in the memorandum prepared and submitted by the Pinehurst Planning and Inspections Department dated June 22, 2016 by a vote of 4-0.

9. **Consider changes to proposed Fees and Charges Schedule.**
John Frye, Director of Planning and Inspections, explained the Village's Fees and Charges Policy calls for the periodic review of all fees and charges. He noted staff conducted a full review of the Village's Fees and Charges Schedule in January of this year and since that time, several additional items came to staff's attention that also needed to be addressed in the areas of Fair Barn, Harness Track, and Parks & Recreation. Mr. Frye explained these proposed changes in more detail. Upon a motion by Councilmember Bouldry, seconded by Councilmember Cashion, Council unanimously approved Resolution 16-16 amending the Fees and Charges Schedule for the Village of Pinehurst to be effective July 1, 2016 by a vote of 4-0.

10. **Discuss and consider the Tack Shop lease agreement renewal.**
Mark Wagner explained the need for Council to consider renewing the lease agreement for the Tack Shop at the Harness Track with the Country Saddler, operated by Janet and Wayne Rasmussen. He explained this renewal would be for another three year term through June 30, 2019 and represents a 3% increase in monthly rent for the upcoming year to $424 per month and each year thereafter would be subject to an annual increase based on the current Consumer Price Index. Upon a motion by Councilmember Bouldry, seconded by Councilmember Cashion, Council unanimously authorized the Mayor or her designee to execute the lease agreement with the Country Saddler for the Tack Shop at the Harness Track by a vote of 4-0.

11. **Discuss and consider awarding concession stand vendor agreements.**
Mark Wagner and Dave White from the Pinehurst Parks and Recreation Department explained that staff recently advertised a RFP soliciting bids for vendors to manage concession operations in the concession stands at Rassie Wicker Park and Cannon Park respectively. After reviewing the proposals from the two vendors who submitted bids, staff is recommending the Village enter into contracts with both vendors to operate one concession stand each. Peter McNamara and Danny Kirby, dba The Shack will operate the concession stand at Rassie Wicker Park while Danielle Jones will operate the concession stand at Cannon Park. Both vendors will pay the Village 10% per month on the gross receipts of sales. Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council unanimously authorized the Mayor or her designee to execute the contracts with Peter McNamara and Danny Kirby to operate the concession stand at Rassie Wicker Park and for Danielle Jones to operate the concession stand at Cannon Park by a vote of 4-0.

12. **Consider executing a contract with Lofton Garbage Services for solid waste services in CCNC.**
Assistant Village Manager Jeff Batton, explained the Village contracts with private service providers for solid waste collection in the Country Club of North Carolina (CCNC) subdivision as required by the local bill that authorized the voluntary annexation. He noted three providers serve this community and contract renewal occurs July 1. Mr. Batton said the largest provider, Lofton Garbage Services, a long term provider, has a majority of the customers within CCNC and as a result his contract exceeds the threshold of $25,000 in which the Village Manager may execute a contract without Council authorization. The amount of the new contract with Lofton Garbage Services, which will expire June 30, 2017, is valued at approximately $85,000. The other two contracts are below the threshold and do not require Council action. Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council unanimously authorize the Mayor or her designee to execute the contract with Lofton Garbage Services for the collection of solid waste in CCNC by a vote of 4-0.

13. **Consider executing a lease of Village property to Moore County Public Utilities.**
Assistant Village Manager Jeff Batton explained Moore County uses one acre of land owned by the Village of Pinehurst located at Rattlesnake Trail. He noted this agenda item was tabled last month due

to the County wanting to reconsider one of the terms in the lease related to the provision of a free sewer tap for the Village's Public Services wash bay addition. Mr. Batton said in further discussion with the County they agreed to leave that item in as part of their compensation for use of the land. As a result, the lease is unchanged from the original version and staff recommends Council authorize execution of the lease. Upon a motion by Councilmember Berggren, seconded by Councilmember Cashion, Council unanimously authorized the Mayor or her designee to execute the lease with Moore County Public Utilities for the continued use of the Village's one acre property on Rattlesnake Trail for their service yard by a vote of 4-0.

14. **Consider executing a contract with McGill Associates, P.A. for On-Call Engineering Services.**
Assistant Village Manager Jeff Batton explained this item is to consider task order #24 to the existing contract with McGill Associates and would extend on-call engineering services for FY 2017. He explained the task order covers items such as plan submittal reviews, small drainage review/recommendations, construction consultation and any other items related to engineering review and guidance that may arise. Upon a motion by Councilmember Bouldry, seconded by Councilmember Berggren, Council unanimously authorized the Mayor or her designee to execute the contract with McGill Associates, P.A. for on-call engineering services for the Village of Pinehurst by a vote of 4-0.

15. **Discuss and consider an ordinance accepting a road dedication for Trotter Drive.**
Assistant Village Manager Jeff Batton explained Trotter Drive that intersects with Hwy 5 and leads to the Trotter Hills Development and connects with another section of Trotter Drive formerly known as Lewellyn Street is currently outside the Village limits and is a private road. He explained the Village has been in contact with developer/owner of the private section of Trotter Drive and he has agreed to dedicate the road and right-of-way to the Village of Pinehurst. Mr. Batton noted assuming the road is accepted, the Village would then initiate the appropriate steps to annex the road into the corporate limits. Upon a motion by Councilmember Bouldry, seconded by Councilmember Berggren Council unanimously approved Ordinance 16-11 accepting the street and right-of-way of Trotter Drive into the Village of Pinehurst road network by a vote of 4-0.

16. **Discuss and consider a resolution adopting a revised Volunteer Program Policy.**
Lauren Craig, Village Clerk, explained that Council had requested an update to the Volunteer Program Policy at the May 10 Work Session and staff also found areas in the current policy that needed to be updated to reflect how appointments are handled for volunteer positions. Upon a motion by Councilmember Bouldry, seconded by Councilmember Cashion, Council unanimously approved Resolution 16-20 amending the Volunteer Program Policy for the Village of Pinehurst by a vote of 4-0.

17. **Other Business.**
    - Councilmember Bouldry asked about the status of the senior housing that is being constructed off of Murdockville Road.

18. **Comments from Attendees.**
    - Sal Piccard spoke about a safety issue on Linden Road dead branches overhanging the road and he asked that something be done again for the safety of our residents. Councilmember Bouldry suggested the Council's NCDOT representative to put another request in to the NCDOT to handle this. Mr. Piccard also commented the Council did not advertise the public hearing well for the apartment complex and he has difficulty about the rationale of the decision and he noted an overwhelming majority of residents do not want this apartment complex in the location..
    - Judy Davis, President of the Pinehurst Civic Group, asked about the BIRDIE report and if the recommendations were already included in the budget. She also asked about the mileage for the McGill Associates Contracts. She asked about the term limit policy for Chairpersons and why Conservation Commission was not included. She asked about the project at Magnolia and McCaskill and noted the public should be kept informed.
    - Pat Corso, President of Partners in Progress, commented that Publix grocery store is in the works to be located behind Turnbury Woods and the Spring Hill Suites and they want a cut on

15-501 and a second cut onto Morganton Road. He thinks we will have a major traffic impact and Mr. Corso suggests to approach collectively the NCDOT and developer to request that they do a traffic impact study that will stretch from highway 5 to US 1 and that be acknowledged as an issue corridor that needs to be addressed. He thinks we need to address this soon.

- Molly Rowell commented that she was very impressed with the presentation of The Greens developer and said they were very professional and responsive and she gave specific examples. She suggested an architectural model early on would have been helpful and encouraged them to look at the planting guides.
- Kevin Drum, read his letter that he wrote on change.org. He noted that he falls in the middle of the issue. He explained the role of government is to referee and that the system is working. He said it will be the best looking apartment complex in Moore County and he appreciates the developer for investing in Pinehurst.
- Christine Dandeneau, explained she believes population density is needed to help the downtown thrive. She commented that she understands both sides of the coin but after 2008, many people are living in apartments. She applauded the developers for their efforts and asked Council to pay attention to the design elements. She also thinks it is important to applaud the Village Council on this and to know there are people behind the Council.
- Mayor Fiorillo made a statement that Council asked a lot of questions of the developer and she regrets that Council did not discuss the size of the smallest apartments at the last meeting when the decision was made. Mayor Fiorillo said this was unintentional and said her personal perspective was that the one bedroom size apartment was fine and she has lived in something of this size in Fayetteville. She said Mr. Allen asked if he should be here tonight and she believes he will be accessible.

19. Motion to Adjourn.

Councilmember Cashion moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Berggren and carried unanimously. The Regular Meeting adjourned at 6:40 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk