



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JUNE 25, 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, June 25, 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
Ms. Beth Dunn, Village Clerk

And approximately 25 attendees, including 10 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Invocation and Pledge of Allegiance.

Invocation by Jason Whitaker, Village of Pinehurst Chief Information Officer.

Cliff Aiken, Pinehurst Resident, performed a song he wrote called "A Little Bit of Heaven" about Pinehurst. By consensus of the Board they agreed to adopt his song as the official song of Pinehurst.

3. Reports:

Village Manager

- Spoke on the recent efforts in the General Assembly to try to limit authority from local governments. Collectively, with other municipalities, we had a positive effect on some of the bills that had been proposed. Last week the League of Municipalities brought a bill regarding short term rentals to their attention. Senate Bill 433 and House Bill 922, specifically titled pursuant to short term rentals. As currently drafted the bills state that short term rentals would be subject to all requirements just as any other rental. One item he noticed when he dug into the bill was that the bill refers to GS 160A-424, which states that local governments may not require owners and operators to register or to get a permit for short term rentals, therefore removing the ability of local governments to regulate, if desired.

Village Council

- Councilmember Drum thanked the Planning Department staff for the hard work that went into the Community Open House.
- Mayor Pro Tem Bouldry thanked staff for doing such a great job with the Community Open House.
- Mayor Nancy Fiorillo stated at the NAC meeting, this past week, there were several remarks on the great job with the Comprehensive Plan and Open House.
- Councilmember Davis thanked the staff and the community for coming out to participate in the event.

- Councilmember Farrell thanked the staff as well.

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.

- Public Safety Reports for May, 2019
- Approval of Draft Village Council Meeting Minutes.
 - June 11, 2019 Regular Meeting
 - June 11, 2019 Closed Session
- Budget Amendments Report

End of Consent Agenda.

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

5. Discuss Rezoning Request for Fairwood Estates Planned Unit Development.

Darryn Burich, Planning and Inspection Director, explained this agenda item is to discuss the rezoning request for the Fairwood Estates Planned Unit Development, specifically three parcels consisting of approximately 1.6 acres further identified as Moore County PID #'s 20040078, 20040080 and 20040387. On June 11th, Council held a public hearing on the Granger Drive rezoning and after conducting an extensive review of the Village's records for approval of the Fairwood development on May 20, 1996, staff has determined that Council does not have to take action on the rezoning request. Mr. Burich explained that in staff's opinion the current split zoning situation is a result of an ongoing mapping error carried over from Moore County's maintenance of the Village's Zoning Map.

Mr. Burich stated the following information was utilized to support the determination that this is a mapping error: 1) Certified Survey Map from 1991 indicating that the subject property was zoned MF. 2) Correspondence from Pinehurst Planning regarding the preliminary review to make an application for Major Site Plan review that details any potential development issues with no indication that the parcel was zoned incorrectly or needed to be changed from RD. 3) Correspondence from Pinehurst Planning and Zoning dated January 19, 1996 indicating that the subject property was zoned R-MF. 4) Correspondence from developer dated January 30, 1996 indicating that all units within the Major Site Plan will be detached single family townhouses of approximately 2,500 square feet. 5) Correspondence from Pinehurst Assistant Village Manager dated March 7, 1996 indicating that the subject property was zoned R-MF. 6) Major Site Plan Application dated March 15, 1996 indicating that the subject property was zoned RMF. 7) Minutes from the May 20th, 1996 Council meeting approving the Major Site Plan for the Fairwood development which conditionally approved the project stating in particular that the "the Village reserves the right to reject any and all plans related to this application."

Mr. Burich explained that per Chapter 8.1 E of the PDO, "Where other uncertainty exists, the Village Planner shall interpret the Official Zoning Map as to the location of such boundaries. This decision may be appealed to the Zoning Board of Adjustment." Staff is proposing to utilize this provision in the PDO to initiate an administrative zoning map amendment to correct this ongoing mapping error. Correcting the mapping error will allow detached single family development to move forward under the previously approved Major Site Plan approval. Any changes that would include any proposal for "attached" single family units would require an amendment to the previously approved Major Site Plan for the Fairwood development. This would require a public hearing and Village Council approval. Mr. Burich stated staff recommends making an administrative zoning map amendment, per Section 8.1E of the PDO and no Council action is needed at this time. Council had no objections to staff making that correction to the Official Zoning Map.

6. Discuss and Consider a Request Sponsorship/Waiver of Fees at Fair Barn.

Mark Wagner, Parks and Recreation Director, explained staff received a request from Clare Ruggles with the Northern Moore Family Resources Center (NMFRC) regarding use of the Fair Barn for an event on April 17, 2020. The NMFRC is a nonprofit organization serving children and families in northern Moore County and will be celebrating its 25th anniversary in 2020. Mr. Wagner explained NMFRC plans to host a fundraising event for up to 500 attendees which will include a dinner, silent auction and live auction and are requesting that the Village waive the rental fees for their event.

Mr. Wagoner explained should Council consider approving this request, the estimated revenues that would be waived for the event would be approximately \$2,600. The waiver of any fees does not include the mandatory deposit of \$750 or the \$150 Kitchen Cleaning/Trash Removal fee that NMFRC would be required to pay. Also, the deposit is also refundable at the conclusion of the event assuming there is no damage to the facility. Mr. Wagoner stated this request does fall under the Village's Sponsorship Policy and would be a Category "C" for events coordinated by a non-profit that is attempting to raise funds. In this case, sponsorship may be approved by the Council in public for the first event of its type and wouldn't have to come back in future years as long as it is for the same event.

Upon a motion by Mayor Pro Tem Bouldry, seconded by Councilmember Farrell, Council unanimously approved the request for sponsorship for the Northern Moore Family Resources Center regarding use of the Fair Barn for an event on April 17, 2020 by a vote of 5-0.

7. Discuss and Consider a Request for Event Sponsorship - Holly Arts Festival.

Mark Wagner, Parks and Recreation Direction explained staff has been in discussions with the Pinehurst Business Partners (PBP) about a partnership for the annual Holly Arts & Crafts Festival held downtown in the Village each October. Mr. Wagoner stated staff is proposing that the Village become a co-sponsor of the event where we could assist with marketing and promotion of the Festival while also assisting with event planning as needed. Staff feels this would be a good collaborative effort between the Village and the Pinehurst Business Partners on what is likely the largest event held in the downtown Village each year. Mr. Wagoner explained the Village logo would be placed on the exhibitor application and any promotions going forward for the Festival.

Mr. Wagner explained as part of the sponsorship, staff's recommendation is that the Village would waive a majority of the fees that PBP would typically pay for the event. Last year for the Holly Arts & Crafts Festival PBP paid a total of \$890 in Temporary Use Permit fees and park rental fees. Also, PBP separately paid for Police Department staffing during the event. Under the proposed sponsorship agreement, PBP would be responsible only for the \$290 which would cover their deposit for Tufts Park, which is refundable, post event cleaning and on-site staffing handling trash. PBP would still be responsible for Police Department staffing during the event. Councilmember Drum believes this is an ideal partnership that could help elevate the event. Councilmember Farrell asked if we have a plan for remote parking. Katrin Franklin, President Pinehurst Business Partners, stated that they have contracted with Kirk Tours the last two years to shuttle patrons into the Village from Pinehurst Elementary School. Mayor Nancy Fiorillo stated they could use the parking at Village Hall if the elementary school is being demolished at that time.

Upon a motion by Councilmember Davis, seconded by Mayor Pro Tem Bouldry, Council unanimously approved the Village of Pinehurst co-sponsoring of the 2019 Holly Arts Festival by a vote of 5-0.

8. Other Business.

Mayor Pro Tem Bouldry stated that in 2020 the Village will be 125 years old. He explained at the last meeting Council briefly discussed having a celebration of the anniversary. He asked that we put the item on the next work session to discuss with other partners. Mayor Nancy Fiorillo stated there are many organizations that would be willing to help and she would be willing to volunteer to help Mayor Pro Tem Bouldry with the event. Councilmember Farrell stated he believes the Resort would be helpful with the event. Jeff Sanborn stated he briefly discussed the idea with the Resort and they will need to have further discussions to determine a date and other details.

9. Comments from Attendees.

- Tom Campbell, Monticello Drive, stated that many years ago there was a group of about 4 residents that attended the Council meetings and he is sad to say one of those, Richard "Dick" E. Bisbe, passed away this morning.
- John Webster, 140 West McKenzie Road, gave comments in regards to the draft comprehensive plan. He stated there was never an option to say no to development. The comprehensive plans assumes 7,000 new residents in the next 10 years and he feels this is unrealistic. He feels not enough is done to preserve the long leaf pine ecosystem. He feels the Comprehensive Plan is being pushed to be approved before the election and he feels it needs to be a point of discussion for the election.
- Frank Pacifico, 155 East Mackenzie Road. The property on 211 behind Pinewild came up on at the Community Open house and the Consultants weren't aware that that was not part of the Village. He believes that we should use someone more local that knows the area. Mr. Pacifico asked what can be done to reduce heavy truck traffic on East Mackenzie Road, specifically the 18 wheelers. He asked was there a way to put up a sign saying no truck traffic. Also, he read in the Village newsletter that we are cooperating with the school system to renovate the Wicker Playground and wants to know how much it is costing and what part of the cost is ours.
 - Jeff Sanborn, Village Manager, stated the Village can't restrict a certain class of vehicles on a road, what is more

permissible is signs that say no thru trucks, however, that is difficult to determine what is really thru traffic. Currently East Mackenzie is the designated construction traffic route for the temporary school site.

- Mark Wagner, Parks and Recreation Director, stated the cost of the Wicker Park Playground renovations were \$140,000, the Village paid \$100,000 and \$40,000 was paid by Moore County Schools.
- John Root, Pinehurst resident, suggested the 125th Anniversary celebration be held either when the property was purchased or when the Resort first opened.
- John Hoffman, Everett Rd., stated the Community Presbyterian Church are still continuing to violate the PDO in regards to parking. He stated it seems it is selection to the enforcement of the PDO. He read portion of an article from the Pilot, from May 2017, about the Community Presbyterian Church.
- Bob Coats, 21 Edinburgh Lane, explained he believes the recommendation on the Comprehensive Plan to explore options to protect the Western Connector Corridor confused many residents, as the didn't understand what this options really meant.
 - Mayor Nancy Fiorillo stated protecting means not to have development in that area to protect the highway development in the future. Jeff Sanborn explained the highway is not in the current NCDOT funding plan, however, it is in the Moore County Transportation Plan and that's why it was included in the options for the Comprehensive Plan.
- Tom Campbell, Monticello Drive, stated he attended the Aberdeen Commissioner meeting last night they approved the Blake Village Development, despite the Aberdeen Planning Board recommendation to disapprove.

10. Motion to Adjourn.

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 5:48 pm.

Respectfully Submitted,



Beth Dunn,
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