

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
APRIL 28, 2015**

**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, April 28, 2015 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
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Jeffrey H. Batton, Interim Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 19 attendees, including 6 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance

Interim Manager, Jeff Batton, offered the invocation and led everyone in the Pledge of Allegiance.

3. Presentation of a Mayoral Proclamation for the 2015 Concours d'Elegance

Mayor Fiorillo presented a proclamation to Jay Howard, President of JHE, declaring Saturday, May 2, 2015 as "Pinehurst Concours d'Elegance Day" in the Village of Pinehurst. Mr. Howard thanked the Village Council for their support.

4. Reports

Manager

- Interim Manager, Jeff Batton, reported that DFI is available to meet on June 2 at the Council's next work session. Council agreed to bring them for this meeting.

Council

- None.

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. Approval of Draft Village Council Meeting Minutes
March 3 Work Session Minutes
March 10 Regular Meeting Minutes
March 24 Regular Meeting Minutes

End of Consent Agenda.

Councilmember Strickland moved to approve the Consent Agenda. The motion was seconded by Councilmember Cashion and passed unanimously with a vote of 5-0.

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

Councilmember Cashion moved to recess the regular meeting and enter into a public hearing. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 5-0.

7. Public Hearing No. 1

The purpose of this hearing is to receive citizen comments about the close-out of Community Development Block Grant (CDBG) #07-D-2356 that the Village received from the North Carolina Department of Commerce Division of Community Assistance (NCDCA).

Steve Austin and Principal Planner Bruce Gould explained the Village Council is required to hold a public hearing as part of the process to close out the Community Development Block Grant (CDBG) for Phase 3 of the Jackson Hamlet Sewer Project. Mr. Austin noted that the project has been completed and the unused money remaining for this project will be de-obligated.

Audience member O'Neal Russ said he has been in Jackson Hamlet for 46 years and expressed on behalf of his neighbors, great appreciation to the Pinehurst Village Council and noted the importance of this project.

8. Public Hearing No. 2

The purpose of the public hearing is to consider an Official text amendment to the Pinehurst Development Ordinance Section 9.13 (8) Exception to Fence Height and Design Type. This amendment will remove the regulation that allows the Village Council to grant an exception to fence height and type. The applicant is the Village of Pinehurst.

Principal Planner Bruce Gould explained that at the March 3, 2015 work session, Council requested that staff proceed with an amendment to the Pinehurst Development Ordinance to remove the exception granted to Village Council that allows for waivers to fence height and design type. Mr. Gould noted that this amendment is consistent with achieving the goals in the Comprehensive Plan and is considered reasonable and in the best interest of the public. Mr. Gould noted that the Planning and Zoning Board voted unanimously to recommend that this amendment be approved.

There were no audience comments.

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

Councilmember Cashion moved to adjourn the public hearing and re-enter the regular meeting. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 5-0.

10. Consider Ordinance #15-08 amending the Pinehurst Development Ordinance Section 9.13 (8) Exception to Fence Height and Design Type.

Interim Manager, Jeff Batton noted that staff prepared an ordinance for Council to act on Public Hearing No. 2 for the Pinehurst Development Ordinance amendment if ready. Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips, Council unanimously approved Ordinance 15-08 amending the Pinehurst Development Ordinance Section 9.13 (8) Exception to Fence Height and Design Type by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

11. Consider a resolution opposing Senate Bill 369 Sales Tax Fairness Act.

Interim Manager, Jeff Batton explained the need for Council to consider Resolution 15-18 to show opposition for Senate Bill 369 Sales Tax Fairness Act. Mr. Batton noted that Moore County recently adopted a similar resolution. Mayor Fiorillo read the resolution for the members of the audience.

Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council unanimously approved Resolution 15-18 opposing the Senate Bill 369 Sales Tax Fairness Act by a vote of 5-0. (A copy of this resolution can be found in the Resolution Book.)

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12. Consider a request for special non-residential intensity allocation for Pinehurst Allergy.

Principal Planner Bruce Gould explained that the Technical Review Committee has been reviewing a plan for Allergy Partners of Pinehurst and the customer is seeking a special intensity allocation pursuant to Section 8.3.3.5(c) of the Pinehurst Development Ordinance for the construction of a medical office building and associated site improvements. Upon a motion by Councilmember Phillips, seconded by Councilmember Cashion, Council unanimously approved the special intensity allocation for the proposed Allergy Partners of Pinehurst office at 14 Regional Drive as outlined in the memorandum prepared and submitted by the Pinehurst Planning and Inspections Department dated April 21, 2015 with the condition that should the development approval expire, the intensity allocation shall be rescinded and returned to the pool by a vote of 5-0.

13. Discuss and consider a budget amendment for cul-de-sac modifications.

John Frye, Financial Services Director, explained when the "One and Done" single day automated collections system was implemented, staff discovered the need to adjust several cul-de-sacs throughout the Village to create a larger turning radius for the trucks. These costs were not anticipated and require a budget amendment. Mr. Batton noted these cul-de-sacs are scattered throughout the Pinehurst area.

Upon a motion by Councilmember Cashion, seconded by Councilmember Phillips, Council unanimously approved Ordinance 15-07 amending the FY 2015 budget for the Village of Pinehurst for cul-de-sac modification funding by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

14. Presentation of the FY 2015 Strategic Plan Q3 Status Update.

Assistant Village Manager Natalie Dean gave a Q3 update on the status of the implementation of the FY 2015 Strategic Operating Plan (SOP) initiatives, indicating the status of initiatives and any changes recommended by staff. Ms. Dean noted that overall staff has been successful in carrying out the plans made for FY 2015, specifically completing 12 additional strategic initiatives in the third quarter and no new initiatives were added. She explained that staff anticipates five initiatives currently in progress will not be completed by June 30th and will carry forward to FY 2016 and staff recommended eliminating one initiative and postponing three others to a future fiscal year. Council thanked Ms. Dean and staff for their work on these initiatives.

15. Discussion on the disposition of Juniper Lake Road Property.

Assistant Village Manager Natalie Dean introduced options for the Village Council to consider for the disposition of the Juniper Lake Road property. Ms. Dean explained three options to consider and the steps to take for the upset bid process. Staff noted the 52 acres property was purchased in 2005. Council held a discussion about potential future use of this property if sold. Mayor Fiorillo suggested creating a light industrial district, rezone the property, and then market it for selling the property. Council suggested getting advice on the light industrial zoning from a realtor and work with Pat Corso on any economic development possibilities before taking action on this property.

16. Discuss and consider a new concept plan for additional parking at Village Hall.

Interim Manager, Jeff Batton shared a new concept to add parking spaces across the street from Village Hall to increase parking capacity for both Village Hall and the Arboretum. Mr. Batton noted that cost estimates have not been generated but would require minor grading which should not be a large expense. Mr. Batton is seeking Council's direction on this project before pursuing estimates. Council discussed the new concept plan, suggesting a few modifications, and determined to proceed with getting cost estimates.

Audience member Frank Pacifico asked about moving the parking lot over to the meadow where the topography is better.

17. Other Business

- None.

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18. Comments from attendees.

- Audience member, Maureen Horansky a Pinehurst resident spoke about the large number of homeless children in Moore County and their needs. Ms. Horansky noted Pinehurst residents should help these children.

19. Motion to Adjourn.

Councilmember Strickland moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Cashion and carried unanimously. The Regular Meeting adjourned at 6:02 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk