

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
APRIL 26, 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, April 26, 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. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Lauren Craig, Village Clerk

And approximately 22 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance.

Dr. Matt Stillman from Trinity Christian Fellowship led the invocation and Mayor Fiorillo led the Pledge of Allegiance.

3. Reports.

Manager

- Village Manager Jeff Sanborn reported that staff is continuing to work on the annual budget and plan to have drafts to Council next week. May 11 and May 12 budget work sessions are scheduled.

Council

- Mayor Fiorillo noted she went with the Sister Cities delegation to Newry Mourne, Ireland with several people from the Town of Southern Pines.

4. Presentation of resolutions honoring members of the Greenway Committee (Campbell, Farren, Lewis, Baron, Lash, Reed, Watford)

Mayor Fiorillo presented the proclamations to the members of the former Greenway Committee. Tom Campbell made comments about how much he appreciated the staff who worked on the committee and Ginsey Fallon and John Strickland's involvement over the years.

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. Consider resolutions honoring members of the Beautification Committee (Halleen, Bonville, Fallon).
- B. Consider a resolution reappointing members to the Pinehurst Community Watch (Gaida, Tuxbury).
- C. Budget Amendments Report
- D. Approval of Draft Village Council Meeting Minutes.

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- March 8 Regular Meeting Minutes
- March 8 Special Meeting Minutes
- March 11 Special Meeting Minutes
- March 22 Regular Meeting Minutes
- E. Public Safety Reports.
 - Police Department
 - Fire Department

End of Consent Agenda.

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

6. Motion to recess the Regular Meeting and Enter into a Public Hearing.

Councilmember Campbell moved to recess the Regular Meeting and Enter into a Public Hearing. The motion was seconded by Councilmember Berggren and carried unanimously with a vote of 5-0.

7. Public Hearing No. 1

The purpose of the public hearing is to consider Official Text Amendments to the Pinehurst Development Ordinance (PDO) specifically Section 8.6, "Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements" and Section 10.2, "Definitions" The applicant is the Village of Pinehurst.

Kevin Reed, Director of Planning and Inspections explained that the Village of Pinehurst is proposing amendments to the Pinehurst Development Ordinance (PDO) in order to allow above ground seasonal swimming pools from May 1 to September 30. He explained that the specific amendments would allow the Village to issue a Development Permit which would allow for an above ground seasonal pool containing up to 48" of water provided the pool is located in the rear yard and no closer than 10-feet to any property line. The pool would be a temporary seasonal use and would have to be removed from October 1 to April 30 and stored in a location not visible from adjacent properties or the street. Seasonal swimming pools that containing greater than 24" of water would also have to meet the applicable standards of the NC Building Code. Mr. Reed noted that these proposed amendments are consistent with the 2010 Comprehensive Long-Range Village Plan. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public. He also noted that the Planning and Zoning Board was in favor of these recommended amendments.

Public Comments:
No public comments.

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

Councilmember Campbell moved to adjourn the Public Hearing and re-enter the Regular Meeting. The motion was seconded by Councilmember Berggren and carried unanimously with a vote of 5-0.

9. Consider an ordinance amending the Pinehurst Development Ordinance as it pertains to Section 8.6 "Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements" and Section 10.2, "Definitions."

Upon a motion by Councilmember Campbell, seconded by Councilmember Berggren Council unanimously approved Ordinance 16-07 amending the Pinehurst Development Ordinance as it pertains to Section 8.6 "Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements" and Section 10.2, "Definitions" and moved that the proposed amendments to the Pinehurst Development Ordinance are consistent with the goals outlined in the 2010 Comprehensive Long Range Plan and are considered reasonable and in the best interest of the public as referenced in the memorandum dated April 26, 2016 from Kevin Reed, Director of Planning and Inspections by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

Audience member Frank Pacifico commented that the law says you can have 48 inches of water but not high can the pool be.

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10. Presentation of Financial Statements for the Quarter Ended March 31, 2016.

John Frye, Director of Financial Services presented the financial statements for the quarter ended March 31, 2016. Mr. Frye shared that the Village's financial condition is favorable as we enter the final quarter of the fiscal year. He explained that revenues exceeded expenditures by a larger margin than anticipated in the forecast for the first three quarters and operating expenditures are under control and the revenue outlook is stable.

11. Discuss and consider a resolution to change the name of Pool Road to Old Pool Road.

Kevin Reed, Director of Planning and Inspections explained that the Village has received a request to change the name of Pool Road to Old Pool Road. He explained that the pool and pool house in the vicinity of Pool Road were demolished last year. Staff submitted the proposed name change to Moore County for review which has been pre-approved and if approved by Council a final name change form will be submitted to Moore County. Upon a motion by Councilmember Cashion, seconded by Councilmember Bouldry, Council unanimously approved Resolution 16-07 changing the name of Pool Road to Old Pool Road in the Village of Pinehurst by a vote of 5-0. (A copy of this resolution can be found in the Resolution Book.)

12. Other Business.

- None.

13. Comments from Attendees.

- Frank Pacifico said he has seen that developers are proposing a building at the intersection of McCaskill and Magnolia. He recalls that 2.5 acres of this property was a soil contaminated area and he wants to know if this property has been reevaluated and is it still a polluted area. Staff noted we have not seen documentation on this but the developers have commented that the EPA did clear this property since that time.
- Jeanne Casinella shared that she volunteers with Head Start in Taylortown and she introduced the kids to Todd Maness from the Police Department and he did a great job with demonstrating friendship to the kids. She asked that we remember those who serve our town in the Police Department and to thank them.

14. Motion to go into Closed Session pursuant to NCGS §143-318.11(a)(5)(i) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Specifically, the Council will discuss three potential land swap options.

Councilmember Berggren moved to go into Closed Session pursuant to NCGS §143-318.11(a)(5)(i) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Specifically, the Council will discuss three potential land swap options. The motion was seconded by Councilmember Cashion and carried unanimously with a vote of 5-0.

15. Motion to adjourn the Closed Session and re-enter the Regular Meeting.

Councilmember Campbell moved to adjourn the Closed Session and re-enter the Regular Meeting. The motion was seconded by Councilmember Berggren and carried unanimously with a vote of 5-0.

16. Motion to Adjourn.

Councilmember Campbell moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Berggren and carried unanimously. The Regular Meeting adjourned at 6:20 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk