



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF FEBRUARY 26, 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, February 26, 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 13 attendees, including 12 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Invocation and Pledge of Allegiance.

Invocation given by Dr. Matt Stillman of Trinity Christian Fellowship.

3. Reports:

Village Manager

- Evaluating response times for the Fire Department, as times have been increasing over the last few years due to a number of factors. The general threshold for response times are typically within 6 minutes and 30 seconds. The two most significant impacting factors are where the current 2 Fire Station locations are and the overlapping calls. The bigger of the two factors is the geographical challenge. The solution would be to place another station in an appropriate area, this something to look at going into the next budget and looking at the 5 year plan. The greatest concentration of calls not meeting the response time threshold are in the western lake community, Pinewild and the ETJ areas south and west of the corporate limits.

Village Council

- Mayor Pro Tem John Bouldry stated in regards to Jeff Sanborn's report, one thing they were concerned about was the railroad and having 2 fire stations on opposite sides. Also, he stated he attended a meeting, on the 22nd at the Senior Center, with County and local municipality officials. They discussed issues that are affecting the region such as future roads, water, sewer, and zoning issues.

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.

- Resolution 19-05 Reappointing Tom Schroeder to the Historic Preservation Commission.
- Approval of Draft Village Council Meeting Minutes.
 - February 12, 2019 Regular Meeting
 - February 12, 2019 Work Session
- Public Safety Reports for January 2019.
- Budget Amendments Report.

End of Consent Agenda.

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

5. Recognize Angel Smith, Village Code Compliance Specialist, as the 2018 North Carolina Zoning Official of the Year.

Natalie Hawkins, Assistant Village Manager, presented Angel Smith with a plaque to recognize her tremendous accomplishment of being named the 2018 NC Zoning Official of the year. Ms. Hawkins explained that on February 18, 2018, Angel was recognized by the NC Association of Certified Zoning Officials as the 2018 North Carolina Zoning Official of the Year at their winter conference. The award is presented annually to one zoning official in the state of North Carolina who has done an exceptional job in their area of zoning expertise. Last year, Angel investigated over 1,250 complaints and obtained voluntary compliance within 45 days 96% of the time.

6. Presentation of the Government Finance Officers Association Distinguished Budget Award.

Natalie Hawkins, Assistant Village Manager, announced that the Village of Pinehurst was once again recognized by the Government Finance Officers Association with the Distinguished Budget Presentation Award for its FY 2018 Strategic Operating Plan. This is the 12th consecutive year the Village has received this award, which is the highest level of recognition in government budgeting. This award reflects the commitment of the Pinehurst Village Council and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the Village had to satisfy nationally recognized guidelines for effective budget presentation. Budget documents must be rated "proficient" in all four categories, and the fourteen mandatory criteria within those categories, to receive the award.

This year, the Village also received the "Special Performance Measurement Recognition" when all three reviewers indicated an "outstanding" rating, or the highest rating possible, for performance measures presented in the 2018 Strategic Operating Plan. This is a tremendous accomplishment, given only 11 special performance recognitions were given in the entire country last year. Ms. Hawkins stated she would like to commend Financial Services Director, Brooke Hunter, and her team for another job well done!

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

Upon a motion by Councilmember Davis, seconded by Councilmember Bouldry, Council unanimously approved to recess the regular meeting and enter into a public hearing by a vote of 5-0.

8. Public Hearing No. 1

Alex Cameron, Senior Planner, stated that this public hearing is to consider a request by request by R & M Commercial Real Estate, LLC for a Major Site Plan Review in order to construct a 40 unit townhome development. This property is identified as Moore County PID# 98000634 and is located at Laforet Ln. and Laforet Ct. near the intersection of Foxfire Rd. and Linden Rd. The proposed Major Site Plan includes the development of 40 townhome units and related infrastructure. Mr. Cameron explained that the Planning and Zoning Board recommended approval of the general concept plan with the following conditions: 1. Location of existing utilities be verified and the site plan be adjusted if need be. 2. The proposed townhomes be equipped with a fire suppression sprinkler system per requirement of the Village of Pinehurst Fire Marshall. 3. All runoff from new impervious surface be directed to storm water management areas. 4. Any proposed access to the site off LaForet Ln. must be agreed upon by the existing HOA and applicant. There is a concern that the property is located within a watershed and a special intensity allocation must be granted by Village Council. This can be granted by Village Council in accordance with its policy and can be processed once a full site plan is approved. Mr. Cameron also explained that the applicant is requesting a waiver of curb and gutter in the development.

Councilmember Farrell asked if there was a recorded agreement/easement with the homeowners association to access the site. Mr. Cameron stated staff is unaware and the applicant would have to address. Mayor Pro Tem Bouldry asked if the applicant agreed to the conditions the Planning and Zoning Board are recommending. Mr. Cameron stated they did agree to all conditions.

Kevin Lindsey, the applicant's engineer, reviewed the general concept plan with Council and explained the applicant is requesting an exception to the curb and gutter requirement. Mr. Lindsey explained that using shallow swales instead will help maximize water infiltration, therefore, will have less run off from the site. Councilmember Jack Farrell stated that he had a problem with the waiver for curb and gutters, as he believes that requiring them will make the roads and storm water easier to manage in the long run. Councilmember Farrell feels it is appropriate for this size development to require curb and gutter and that we owe it to the residents to make sure this development is developed to the highest standards possible.

Mr. Lindsey stated the developer hasn't been able to make contact with anyone who can make an agreement for an easement onto the existing road/entryway on the property, Laforet Lane. Also, he stated that the existing entryway and development does not have curb and gutter. Mayor Nancy Fiorillo asked what their Plan B was if they don't get access thru Laforet Lane. Mr. Lindsey stated they would access the development off of Foxfire Road. Councilmember Davis suggested in lieu of curb and gutters that they specify that the ditches be at the appropriate grade to accommodate the natural penetration of water. Council asked Mike Apke, Public Services Director, his opinion on curb and gutters versus swales. Mr. Apke, stated that there is a trend with the State utilizing swales instead of curb and gutter and he believes that either way can be effective. Councilmember Davis asked if there were specs for the swale system. Mr. Apke stated the applicant's engineer would complete a geotechnical report as part of the detailed design.

Public Comments:

Lynn Goldhammer asked if they have talked with the other development owners to ask if they would allow them to access thru their road.

Leo Santowasso, Planning and Zoning Board Chairman, stated that the overall benefit with grass swales is the environment.

Mr. John Taylor, Pinehurst resident, stated his concern with the traffic coming and going from the new development. Also, he asked about the single story units that were discussed in the earlier discussions with the Planning and Zoning Board. Mr. Lindsey, applicant's engineer, stated they are looking at all 2 story units now.

Paula Tabor, of Laforet Court, stated there are days when they have low water pressure. She is concerned how this new development will affect their water flow. Alex Cameron, Senior Planner, explained Moore County Public Utilities would review all of the plans before anything is approved and they are actually on the Technical Review Committee (TRC).

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

Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council unanimously approved to adjourn the public hearing and re-enter the regular meeting by a vote of 5-0.

10. Consider a request by R&M Commercial Real Estate, LLC for a major site plan.

Mike Apke, Public Utilities Director, clarified for Council that the Village's Engineering Standards Manual states that if curb and gutters are waived by Council then grass swales are to be constructed along the roadway.

Upon a motion by Councilmember Davis, seconded by Councilmember Bouldry, Council approved the General Concept Plan to allow for a 40 unit townhome development off Laforet Lane and Laforet Court requested by R&M Commercial Real Estate, LLC with the following conditions by a vote of 4-1, with Councilmember Farrell voting no:

- a) Location of existing utilities be verified and the site plan be adjusted if need be.
- b) The proposed townhomes be equipped with a fire suppression sprinkler system per requirement of the Fire Marshall.
- c) All runoff from new impervious surface be directed to stormwater management areas.
- d) Any proposed access to the site off LaForet Lane must be agreed upon by existing HOA and applicant.
- e) Applicant must submit a request for a Watershed Special Intensity Allocation or a variance from the watershed requirements, in accordance with the provisions of the PDO, with the first Major Site Plan submittal to Village staff.

11. Consider Recommended Changes to Fees and Charges Schedule.

Brooke Hunter, Financial Service Director, explained there were a couple of minor tweaks to the schedule since the prior Council meeting. Councilmember Davis stated she really liked being able to discuss the recommended charges at the last meeting and then being able to review and ask questions. Councilmember Davis asked about the charge for mobile food vendors and if that included food trucks, as she felt the fee of \$25.00 was a little low. Natalie Hawkins, Assistant Village Manager, explained mobile vendors didn't include food trucks, only those who want to set up in certain zoning districts to provide a meal. Mark Wagner, Parks and Recreation Director, stated that food trucks, such as the ones at Live at Five, are required to pay a different type of fee at \$75.00. Jeff Sanborn, Village Manager asked for clarification that this is a case where the full incurred cost of issuing the permit is charged. Ms. Hawkins stated that was correct, the estimated direct cost of issuing mobile food vendor permit is around \$24. Mr. Sanborn stated in keeping with the State law, it wouldn't be appropriate to go over the recommended \$25 charge.

Upon a motion by Councilmember Farrell, seconded by Councilmember Davis, Council unanimously approved Resolution 19-04 amending the Village of Pinehurst Fees and Charges Schedule by a vote of 5-0.

12. Presentation of Mid-Year Financial Projections and Budget Amendment.

Brooke Hunter, Financial Services Director, presented Council with the mid-year financial projections and budget amendments. Ms. Hunter explained she estimates that the Village's expenditures will exceed its revenues at year-end by approximately \$3,606,000. The Village originally planned to use \$3,214,000 of fund balance in FY 2019 when the budget was adopted. Part of the difference between the projection and original budget relates to the \$335,000 in additional fund balance appropriated in November for the Community Center contract. Ms. Hunter stated that the total fund balance for the General Fund at the beginning of this fiscal year was \$10,642,000. Ms. Hunter is projecting that fund balance will decrease to \$7,036,000 by the close of this fiscal year. This estimate will leave the ending fund balance for the General Fund at 30.2% of expenditure, which is in our policy range and is comparable to the 32.3% originally budgeted for this fiscal year. Ms. Hunter presented the proposed mid-year budget amendments to Council. She explained that in total, these adjustments will increase the Village's FY 2019 Budget by \$238,847 and will reduce fund balance appropriated by \$179,924. Councilmember Drum asked if we needed to establish an emergency fund. Jeff Sanborn stated that the fund balance is there for that purpose, this is why the state makes you maintain a certain level.

Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved Ordinance 19-05 amending the ordinance appropriating funds for operations, regarding revenues and expenditures of the General Fund for the Village of Pinehurst by a vote of 5-0.

13. Consider a Resolution for Business District Directional Signage.

Jeff Batton, Assistant Village Manager, stated Council will need to approve a resolution for NCDOT to install business district directional signage. Councilmember Farrell asked what the signs would look like. Mr. Batton stated that they are standard DOT signs, brown with white writing which will read business district. Councilmember Drum explained he thought they were going to read historic district and give us credit as being a historic business district. Mr. Batton explained NC Department of Transportation policy will not allow the Village to have signs that read historic district or historic business district. Mayor Pro Tem Bouldry asked if there were 6 signs and how did they determine where they would be located. Mr. Batton stated he and the Village Manager requested the locations and confirmed there are 6 signs in total, with one being double sided. Councilmember Drum and Farrell both stated Council should discuss some more before adding more signage.

Council came to a co-census to table approving a resolution to install the NCDOT signage until they determine if they want additional signage in the proposed areas.

14. Other Business.

No other business was discussed.

15. Comments from Attendees.

- Lynn Goldhammer stated that clearcutting is a concern of hers with the recent development. As the trees help with storm water and sound control.
- Leo Santowasso gave an update on the clear cutting and tree preservation standards, which the Planning and Zoning Board has been updating over the past year. He stated the Planning and Zoning Board should have their recommendations to Council by the end of March. The recommendations would be in compliance with the State of North Carolina regulations.

16. Motion to Adjourn.

Upon a motion by Councilmember Bouldry, seconded by Councilmember Drum, Council unanimously approved to adjourn the Regular Meeting by a vote of 5-0 at 6:43 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