



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JANUARY 11, 2022
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a work session at 5:12 p.m., Tuesday, January 11, 2022, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The meeting was streamed in real time on the Village's website.

The follow were in attendance:

Mr. John C. Strickland, Mayor
Mr. Patrick Pizzella, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Jeffrey Morgan, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 14 attendees, including 6 staff and 1 press.

1. Call to Order.

Mayor John Strickland, called the Council work session to order.

2. Discuss FY2023 Strategic Planning Retreat Follow-Up Items.

Village Manager Sanborn stated that during the Council Strategic Retreat Council brought up several items that they would like to look at in the future. Matthew McKirahan, Organizational Performance Director presented Council with a list of Follow-Up Action Items for review. The first item was identified as outlining volunteer engagement actions currently underway and identify potential future strategies.

Councilmember Boesch asked what the Council is hoping to do with this information. She stated she feels the Village has a lot of great volunteers and she cannot really see what more we can do. Village Manager Sanborn stated we hoped that by having this conversation, staff would get some clarity on what Council would like to see occur. Councilmember Boesch said she feels this needs to fall down the list as we are already doing a great job with working with the volunteers. Mayor Strickland stated we should be doing enough support and training to help develop and increase the abilities of the volunteers, especially with those in the Planning and Zoning arena. Village Manager Sanborn stated we have taken steps to ensure those specific areas are provided training.

Councilmember Hogeman stated that at the Retreat Council had this parking lot set aside to provide us an opportunity to help Council stay on track and not meant to be a to-do list. Mr. McKirahan stated that by reviewing these items staff will have a better idea of where to concentrate their time.

The second item on the list was to provide Council with an updated timeline on elements of the Stormwater Master Plan. Mr. Batton stated that we when are ready, there will be updates added to the website to help the residents understand what staff has completed in relation to this project. Mayor Pro Tem Pizzella stated he would like staff to add this timeline to the website.

The third item is to provide Council with a cost projection on Fire Station 93 during the FY2023 budget process. Mr. McKirahan

stated Chief Cole is in the process of finalizing a pre-planning template, which will provide architects with the necessary information to outline a preliminary facility size and cost estimate. He stated the template, and subsequent cost estimate, is a free service. Mr. Sanborn stated this is tentatively scheduled to be completed around May.

The fourth item is to explore adding a survey question asking # of employees per responding business. The fifth item was to add the opportunities for Council to meet consultants after the selection process for under \$50,000. Mayor Pro Tem Pizzella stated he would like to have the opportunity to meet with some of the larger consultants to help with his understanding of our processes. Currently the approval of contracts under \$50,000 lies with the Village Manager.

The sixth item was to provide an opportunity for the community to clarify what high-quality development and design means to them, by using the Engage Pinehurst portal. Council agreed that more information from the residents is important to help guide Council's decisions.

The seventh item was to hear from Three Rivers Land Trust to an upcoming Council meeting. The eighth item is to provide Council with further analysis on community engagement tools used for communication via email. Village Manager Sanborn stated we already have this data; we just need to provide this information in further break-downs to Council.

Item nine is to have Public Services continue to monitor Moore County's recycling campaign and provide periodic updates to Council on how the campaign is impacting the Village's recycling numbers. Councilmember Boesch asked if this would financially impact the Village. Mr. Jeff Batton, Assistant Village Manager of Operations stated that it would, but to what extent it would impact it is uncertain and determined by the amount of waste we input, and thus the effort to reduce contamination.

The tenth item is to explore adding language to Goal 6 or to create a new strategic objective that highlights the Tufts Archives and Given Memorial Library. Mr. McKirahan stated this item has been completed as well as the next item which was to explore adding a key KPI or more to the Corporate Balanced Scorecard.

The twelfth item was to update Council on plans for the Western Connector and its potential impact on traffic numbers within the Village in an upcoming work session. Mr. McKirahan stated this item has been assigned to Planning and Inspections. The thirteenth item was to provide a brief explainer on the role and policies associated with the Village's fund balance at an upcoming work session. Mr. Sanborn asked if this was an item Council wants more information on. Brooke Hunter, Finance Director, stated that at the beginning of April Council will get a comprehensive preview of the budget.

Councilmember Hogeman stated that in looking at the fund balance, she had to look at how much money do we have to spend and what amount of this is needed as a cushion. She stated she had to look at the question of what happens at the end of the year, when we have some reconciliation to what we were expecting. Councilmember Hogeman stated she would like to more versed on what Council has to spend over the next five-years or so. Village Manager stated that Council needs to trust the staff and the system to let them know what will work and what will not. He stated that when the preview of the budget is shown to Council, they will have an opportunity to rethink their priorities.

Mayor Pro Tem Pizzella stated he would like to have a conversation on how Council came to the process of maintaining 30% for fund balance. Mayor Strickland stated he would agree that he would like to have this discussion. Village Manager Sanborn stated that if you lower the fund balance policy to 25%, this will give you roughly one-million one-time funding to spend. Ms. Hunter stated that the lower end of 30% has been standard for a long time. Councilmember Morgan stated the reasoning for the 30% would have been chosen for security and the audit that just occurred shows the Village is in a good condition. He said he would like to know why we did choose that number but does not necessarily agree that we may need to change it.

The next item in the parking lot items was to provide an opportunity for community input on neighborhood quality through the Engage Pinehurst portal to help better define the community survey question concerning "quality of neighborhood." The final two items were to recommend changing the phrase "overall appearance of the Village" to "public spaces across the Village" in the Annual Community Survey for 2022, and to provide Council with the definition for the # of collisions per 1,000 residents KPI.

Councilmember Hogeman stated she would like to see a question on the ETC annual survey added asking the residents if they are satisfied with the number of playing fields. Village Manager Sanborn stated asking this question would help us with the implementation of the Parks & Recreation Master Plan. Councilmember Boesch stated that if we choose only to ask about ballfields, we are pulling the focus away from the other valuable services Parks & Recreation does. Mr. McKirahan stated staff can look at other ways to get this information as well and report back to Council. Councilmember Hogeman stated this specific question would help clarify what she sees as a disconnect from whether people want to spend \$5 million dollars on a park because Parks & Recs data says there is more demand than they are able to provide.

Mr. Sanborn stated that perhaps the best way to address this is to add this to the questions surrounding satisfaction around capital projects. Council agreed this question would come up during the Master plan work.

3. Discuss Current Downtown On-Street Dining.

Mr. Jeff Batton, Assistant Village Manager of Operations, stated this topic is relevant to Covid and the ability to hold on-street dining in the Village. Mr. Batton stated that we have some flexibility on when we can eliminate this ability, extend the ability for a temporary basis, or to keep it on a long-term basis. He stated if it was kept as a permanent option there would need to be a change to the ordinance as well as factors to consider about safety and how this would look aesthetically.

Mr. Batton stated, for approximately eighteen (18) months, the Village has allowed Alcohol Beverage Control (ABC) on-premise permit holders (restaurants) to serve food and alcohol on property that is not part of the permittee's licensed premises. More specifically, we allowed restaurants to set up outdoor dining space on the public street adjacent to their business in the evening hours and all day on Sundays. This included service of alcoholic drinks in that outdoor space. This was in accordance with temporary laws passed by the state legislature in response to the COVID epidemic. The intended purpose of the legislation was to help restaurants make up lost indoor seating capacity due to COVID social distancing requirements.

Mr. Batton reported the temporary statute left the determination of whether to allow the extension of the ABC permit up to the local government having jurisdiction. Accordingly, Council took action to permit the use of the adjacent streets for such purposes under specific guidelines. On July 30, 2021, all restrictions were lifted, and restaurants were permitted to return to normal occupancy levels. On September 10, 2021, the Governor signed into law HB 890 to make several changes to the ABC Commission laws. One change was to allow the local government having jurisdiction the opportunity to make permanent the extension of ABC permits to property not part of the ABC permittee's premises. If this practice is continued, the legislation requires adoption of an ordinance.

Mr. Batton stated businesses that originally used the adjacent street for dining and alcohol service were Dugan's, Drum & Quill and Theos'. At this point, only Drum & Quill regularly sets up outdoor dining and Theos' is no longer in business. With HB 890 specifying the need for an adopted ordinance in order to continue to allow ABC on-premise permit extension, Council needs to determine its desire related to this matter. In consideration of ABC on-premise permit extension, Council has three options available:

1. Discontinue the extension of ABC on-premise permits and discontinue the use of the streets for purposes of serving food and alcoholic beverages (return to pre-COVID conditions).
2. Approve an ordinance to allow extension of the ABC on-premise permit and to allow use of public property, i.e., the adjacent streets (continuation of current conditions).
3. Approve an ordinance to allow extension of ABC on-premise permits to other property, but not allow use of public property. This option may allow a permit holder to use adjacent private property with permission of the owner (hybrid of pre-COVID conditions and current condition).

Mr. Batton stated factors Council may wish to consider in deliberating these options are fairness to other businesses, legislative rules governing how the extended space can be used, competitiveness, safety, and aesthetics. Fairness as a consideration recognizes a current imbalance in business utilization of public property. Under current conditions, ABC on-premise permittees may use the adjacent public street to conduct businesses while other retail shops may not. In addition, some restaurants, like Lisi, Villagio, and Villager Deli have selected locations and invested in spaces in order to have outdoor seating options without relying on public space.

Mr. Batton stated the legislative rule that is noteworthy is that an ABC on-premise permittee may not use the extension into other space to increase the occupant load of the licensed premises. Consequently, if seating is added for on-street dining/alcohol service, an equal number must be reduced on-premise. Competitiveness is a recognition that neighboring communities that allow the extension of ABC on-premise permits could gain a competitive advantage to lure a potential restaurant or bar. However, at this time neither Southern Pines nor Aberdeen are contemplating passing an ordinance to make permanent the ABC on-premise permit extension. Lastly, safety and aesthetics are somewhat aligned.

Mr. Batton stated the manner in which on-street space is used for food and beverage service must be both highly visible for safety and meet the aesthetic expectations of our community. This would need special consideration to establish the appropriate guidelines if Council opts to make permanent the extension of ABC permits to the adjacent street. Based on the totality of the factors, staff would recommend Council establish a reasonable date to sunset the ABC on-premise permittees' utilization of public property and return to pre-COVID conditions.

Mayor Strickland stated the fairness centers around why we allow restaurants use space in front of their store, but retailers cannot. He stated the question relates as well to appearance and what we want the Village to look like. Council came to a consensus that out-door dining will continue until April 1, 2022, with no changes, and if needed they will reevaluate for an extension.

4. Discuss the Opportunity to Establish a Social District(s) Downtown.

Mr. Batton stated HB 890, signed into law on September 10, 2021 makes several changes to the ABC laws in N.C. One change is to allow a local government having jurisdiction to establish "social districts." A social district is a defined geographic area, such as the Village Center, where alcoholic beverages can be openly possessed and consumed if purchased from on-premise permittees within that district. Basically, patrons can purchase alcoholic beverages from a permittee's restaurant "to go" and then walk around the district consuming same.

Mr. Batton stated there are several requirements for a social district such as signage around the perimeter of the district, the use of non-glass for service of alcohol for consumption within the district, and special labeling on the non-glass containers. The purpose of this agenda item is to determine if Council has an interest in exploring the option of a social district within downtown. Council members present during the 2014 Men's and Women's US Opens may recall a similar temporary measure passed to allow open containers within a specified and marked area of downtown.

Mr. Batton noted, to be clear, staff is not recommending the establishment of a social district but rather ensuring Council is aware that statutory authority has been granted to local governments to establish such if desired. A check with Southern Pines and Aberdeen indicates they are not currently considering establishing social districts and staff recommendation would be to not implement one. If Council were interested, staff would need to develop a recommended ordinance and recommended boundary map for Council's consideration.

Village Council unanimously agreed there was no interest in establishing a social district area in the Village.

5. Discuss Options for Encouraging Downtown Parking Turnover.

Mr. Batton stated this item is to bring forth and receive Council direction on whether to pursue restrictions related to downtown parking to facilitate turnover of parking spaces. He noted there are pros and cons to each of the options provided to Council. Mr. Batton, along with Police Chief Glen Webb, outlined the varying options Council could pursue. Three options presented for consideration were: 1. Re-establish 2-hour timed parking restrictions along certain streets; 2. Establish paid parking along certain streets; Remain status quo recognizing a new parking deck is likely to be constructed that may, or many not, relieve some of the concerns.

Mayor Strickland asked if the cost-estimates included the use of a vehicle, but why could we not potentially use a golf cart. Chief Webb stated we were talking about a small car, for safety, and because they would be making frequent stops. Mayor Strickland asked how the license reading worked. Chief Webb provided an explanation and stated the software used for the App can be used for more uses than just parking. He stated the app would require the individual to purchase time, with the option to extend their time if needed. He stated that most people that are visiting would be compliant.

Mayor Strickland stated he does not want to maintain what we are doing now. Mr. Batton stated that it is found that there are spaces available downtown. The concern seems to be that the residents cannot park right in front of the restaurant or retail store they want to go to. Mr. Batton stated that there is ample parking with very short walking required.

After reviewing all available options, Council determined the best answer is to move forward using a soft approach to the problem, including signage.

6. Discuss Fort Bragg Renaming Input Options.

Mayor Strickland stated he spoke to Col. Scott Pence, who shared a summary with council via email about the renaming process for Fort Bragg. He noted the formal process of nominations closed in December. Col. Pence stated if Council wanted to write a letter nominating General Marshall, they would accept the letter. Col. Pence stated the "Fort Liberty" name has been forwarded to the National Committee for consideration. Mayor stated he felt General Marshall was a great leader and he felt this was important for the Village to consider. Councilmember Pizzella stated he would be a proponent of making the letter of nomination. Councilmember Morgan stated that he is fine with putting out a letter of support, but he is not certain on how much impact we might have. Councilmember Hogeman stated she is fine with making a letter of support. Village Manager Sanborn stated that the best way we can show support is by reinforcing and supporting what Fort Bragg wants. He stated that sending the letter will have no impact but supporting the Fort Bragg community's choice will.

7. Moore County Highway Overlay Project

Darryn Burich, Planning and Inspection Director, presented Council with a request from a Citizen to the Moore County Commissioners and Planning Department to change a UDO text amendment to the Highway Corridor Overlay District (Urban Transition Land Uses) that would remove High Impact Outdoor Recreation as a prohibited use in Urban Transition areas. Councilmembers agreed that while the applicant's proposal does not change High Impact Outdoor Recreation to a permitted use, it does provide an easier avenue to allow such uses.

Village Council unanimously agreed to show the Village's opposition to this proposed amendment. Councilmembers plan to attend Tuesday's Commission meeting to reiterate their strong opposition and will compose a letter to Moore County Commissioners and Planning Staff.

8. Ross and Olmstead

Assistant Village Manager Doug Willardson stated he and Kristin Bunton met with subject matter experts and have more set events and activities. He stated representatives from the resort has agreed to let us use some of their equipment and record some content for use. They have also agreed to help with the design of banners. Mr. Willardson reported the Village will work with Moore County on a clean-up event and they have contacted the golf channel but have not heard back yet. He stated they are working on setting up some role actors. Mayor Strickland stated he would like to see the timeline of what we are going to do and what we need to do before the anniversary dates.

9. Other Work Session Business.

- No other work session business was discussed.

10. Potential Future Agenda Items.

- Councilmember Hogeman stated focus area 5 is still a topic of interest.

11. Motion to Recess the Work Session and Enter Closed Session

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to recess the work session and enter into a 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, by a vote of 5-0.

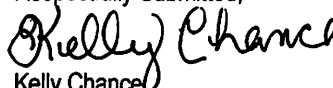
12. Motion to adjourn the Closed Session and Re-enter the Work Session.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Morgan, Council unanimously to adjourn the closed session and re-enter the work session, by a vote of 5-0.

13. Motion to Adjourn.

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the work session, by a vote 5-0, at 9:15 p.m.

Respectfully Submitted,


Kelly Chance
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

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