MINUTES OF
VILLAGE COUNCIL WORK SESSION
DECEMBER 10, 2013

395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
9:00 A.M.

The Pinehurst Village Council held a Work Session at 9:00 a.m., Tuesday, December 10, 2013 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. Andrew M. Wilkison, Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 20 attendees, including 9 staff and 1 press.

1. **Call to Order.**

   Mayor Nancy Roy Fiorillo called the meeting to order.

2. **Reports**

   Manager

   - Reminder about the Special Meeting scheduled to follow the Regular Meeting today regarding the continued review of the PDO and the Strategic Planning Retreat scheduled for Thursday and Friday this week.
   - Held meetings with Lake Pinehurst residents regarding short term rentals and hope to have a briefing to Council soon on this topic.

   Council

   - Councilmember Strickland and Councilmember Cashion attended a meeting regarding the traffic circle and there are options being studied for what could be done after Hwy 211 is completed. Mayor Fiorillo would like to have a presentation on this topic.

3. **Discussion and Motion Adopting the 2014 Village Council meeting schedule**

   The Manager explained the need to adopt a Village Council meeting schedule for 2014. Upon discussion regarding changing the schedule to accommodate current and future Councilmembers who work full-time, the Council determined to amend the schedule as a Regular Meeting at 4:30pm for the 2nd and 4th Tuesday in Assembly Hall each month for 2014, with a closed session that would follow after the public meeting concludes.

4. **Traffic Circle Overhead Sign Maintenance**

   Jeff Batton, Assistant Village Manager presented the need for traffic circle overhead sign maintenance to repaint the existing signs. The NCDOT is interested in putting this out to bid and in order to do this Council would need to execute a nonbinding agreement with NCDOT and depending on the pricing Council can elect to pursue or not. After discussion, Council formed a consensus to proceed and upon a motion by Councilmember Strickland seconded by Councilmember Cashion, Council unanimously approved to authorize the Mayor, or her designee, to enter into a non-binding agreement with the North Carolina Department of Transportation in order to seek bids to re-paint the signs, brackets, and posts of the overhead traffic signs leading to the traffic circle with a vote of 5-0.

5. **Budget Amendment - Welcome Center/Public Restrooms**

Natalie Dean, Assistant Village Manager presented the need for a budget amendment for the Welcome Center relocation and public restrooms. Natalie Dean noted that included in the agenda packet materials was a cost estimate for the project of $70,000 for the up fit of the restrooms and the handicapped accessibility. The other part of the request is to fund the improvements needed for the physical space in the building for the Welcome Center, funds requested for a potential grand opening celebration, and incremental operating costs associated with the move. Natalie Dean also noted that staff has been working with Ann Hughes on recruiting additional volunteers for the Welcome Center. Council discussed the wall paper, interior designs, and grand opening plans and determined to keep these in the plans.

Upon a motion by Councilmember Cashion seconded by Councilmember Phillips, Council unanimously approved Ordinance #13-47 for the purpose of amending the budget for the Welcome Center Relocation and Downtown Restrooms by a vote of 5-0. (A copy of the ordinance is found in the Ordinance Book.)

6. **Holly House Sidewalk**

Jeff Batton, Assistant Village Manager presented the approximate brick sidewalk location for the Holly House. This sidewalk would connect with the other sand/clay paths in the Village. The cost to the Village would be $7,000 to extend the brick and the Holly House has pledged $3,000 to this project.

George Karr and Debbie Darby represented the Holly House property. Mr. Karr noted that the Holly House had deferred maintenance prior to purchasing a condo there and for the appearance of the Village, they performed improvements on the building over the past year and a half. He noted there are two landscaping proposals for landscaping enhancements which have brought about the request for bricking the sidewalk with the help of the Village. After discussion about the location and it being a multi-family unit, Council formed a consensus to proceed with this extension of the brick sidewalk for the Holly House.

7. **Requested traffic control signage**

The Manager explained the request from homeowners in the St. Andrews Drive, Lakewood Road area to post 25 mph signs in the vicinity of the two golf cart crossings located along that stretch of St. Andrews Drive. He noted that staff proposes to remove two 25 mph warning signs (yellow), and replace them with four 25 mph regulatory signs, for a net increase of two. Council formed a general consensus to move forward with these two signs.

8. **Municipal Code Amendment**
Clarifying Section 92.16 of the Pinehurst Municipal Code as it pertains to regulating unreasonably loud, disturbing sound levels.

The Manager explained that Council adopted an amendment to the Pinehurst Municipal Code on November 12, 2013, establishing a new Section 92.16 (B) (7), regulating the use of lawn and garden and landscape maintenance equipment. He explained that following the adoption of the amendment, it was brought to staff's attention that the operation of a home stand-by power generating unit could be operated in a manner technically in violation of this section, which is not the intent of the section.

Audience member Jack Farrell suggests adding the phrase "during the periods of utility power outage." It was further suggested to specify test periods and during periods of utility power outages.

Upon a motion by Councilmember Strickland, seconded by Councilmember Campbell, Council unanimously approved Ordinance #13-48 as amended, changing the Municipal Code as it pertains to regulating unreasonably loud, disturbing sound levels as amended by a vote of 5-0. (A copy of the ordinance is found in the Ordinance Book.)

9. Sale of Old Fire Station 91

Natalie Dean, Assistant Village Manager outlined the results of the upset bid process per Resolution #13-43. She noted that after 32 separate inquiries, showing the property to 23 individual parties, a qualifying high bid of $220,900 was received from Francis Turner Maser of Maser Capital Management and is being considered to accept or reject. Mark Wagner, Bruce Gould, and Natalie Dean also completed an evaluation on using the property for recreational purposes which was outlined in the report. Staff determined the building could be used for recreation purposes but there are significant site constraints on this property.

Audience member Doug Middaugh noted the estimated 51 parking spaces required for a recreation center. He asked if the Village is prepared to support Mr. Maser's activity in the same manner as they were in the brewery project. Council said there was no plan to support adding parking spaces for the project.

Audience member Frank Maser said he does not have any definite plans for the building yet but he has many years of working with the Village. He noted that if accepted, he would start a planning process to determine the best use of the building but the main thing would be the outstanding maintenance to the building. Mr. Maser noted that Parks and Recreation can take this $220,000 and help build a nice facility for them and not have to deal with the functional obstacles that the fire station has for those purposes. Andy Wilkison noted that Mr. Maser has always been very cooperative with the Village and has always maintained his property around the Village very well.

Upon a motion by Councilmember Cashion, seconded by Councilmember Campbell, Council unanimously approved to accept the qualifying upset bid submitted by Francis Turner Maser in the amount of $220,900 to purchase the old fire station at 45 Community Road. This bid was subject to upset and no upset bids were received prior to the published deadline of 5:00 pm on December 4, 2013 with a vote of 5-0. Proceed with closing on January 2, 2014.

10. Discussion on Health Insurance Family Coverage/Cash Option

The Manager explained the need to discuss the upcoming change required by the Affordable Care Act that would affect a benefit option that the Village has offered to department heads and assistant department heads. The benefit is for particular employees who do not elect the family coverage where the employees receive a cash supplement instead. He explained that overtime these benefits become less common and in 2010 it was elected to no longer offer this to new department heads or assistant department heads. John Frye completed a financial impact spreadsheet regarding this decision and was provided in the agenda packets. After discussion, Council formed a consensus to proceed as had been budgeted in the FY 2014 budget, wherein the benefit would no longer be offered and the cash equivalent of Family Coverage would be added to the base salary of the effected employees.

11. Preview of Regular Meeting Agenda.

The Council did not preview the Regular Meeting Agenda for December 10, 2013.

12. Other Business

- Councilmember Strickland inquired if we are handling the code enforcement as well as we should and giving the staff the support they need. He would like to look into this further in the upcoming year and especially as we look into the PDO are we making every effort to fairly deal with the citizens and enforce the codes that we have?

13. Comments from attendees.

- Audience member Doug Middaugh commented about the RFP for the bicycle and pedestrian plans and noted concern regarding the timeline for this project and managing the expectations of the public for the completion of these items. Director of Parks and Recreation, Mark Wagner commented that the timeline is dictated by NCDOT and their grant process.

- Audience member Jack Farrell asked if there is a display of historical information on Pinehurst in the new Welcome Center location. Natalie Dean explained that there is a room designated to history of Pinehurst and we will be working with the archives.
- Audience member Tom Campbell said he is at a loss to figure out how the original purpose of the greenway trail to go from Pinehurst #6 all the way to the marina at Lake Pinehurst has now seemed to have lost the support of the Council. He noted the need to look for the common good of the citizens and he would like to get backing from Council.

14. Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council.

Specifically the Village Attorney will discuss with the Council the litigation between the Estate of Ronald H. Armstrong, plaintiff v. The Village of Pinehurst; et al., defendants (Case No. 1:13 CV 407) and discussing a claim between Align Development, LLC, Julie Sutton, and the Village of Pinehurst.

Councilmember Strickland moved to go into Closed Session. The motion was seconded by Councilmember Phillips and carried unanimously.

15. Adjournment.

Councilmember Cashion moved to close the Closed Session and adjourn the Work Session. The motion was seconded by Councilmember Phillips and carried unanimously. The Work Session adjourned at 12:00 p.m.

Respectfully Submitted,

Lauren M Craig

Lauren M. Craig
Village Clerk