

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
DECEMBER 9, 2014**

**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, December 9, 2014 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 26 attendees, including 3 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 resolutions honoring Peter Helgesen for his service on the Community Appearance Commission and Patrick Barry and Kevin Drum for their service on the Village Center Enhancement Committee.

Mayor Nancy Roy Fiorillo presented the resolution to Patrick Barry, and Councilmember Phillips presented the resolution to Kevin Drum all for their service on the Village Center Enhancement Committee. Peter Helgesen did not attend the meeting.

4. Reports

Manager

- Reminded about the upcoming holidays for the Village of Pinehurst and Tresa Long's retirement in the Planning Department.

Council

- Mayor Fiorillo noted the Tree Lighting was the best yet and thanked the recreation department and public services department for their efforts with this annual event.

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 a resolution reappointing members to the Beautification Committee (Batton, Morgan, Murzyn, Wilkison).
- B. Consider a resolution reappointing members to the Community Appearance Commission (Hoy, Regensburg).
- C. Public Safety Report
Fire Department
Police Department
- D. Approval of Draft Village Council Meeting Minutes

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November 18 Regular Meeting
November 18 Closed Session

End of Consent Agenda.

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

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

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

7. Public Hearing No. 1

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone one parcel of land consisting of approximately .66 acres. This property is addressed as 320 Thorne Road. This property is further defined as being Moore County LRK #00014383. This property is currently zoned R-20 (Single-family Residential w/ a minimum lot size of 20,000 sq. ft.). The proposed map amendment would change the zoning of the property to R-10 (Single-family Residential w/ a minimum lot size of 10,000 sq. ft.). The property is currently vacant. The applicant and the owner for this rezoning is Michael Hicks.

Kevin Reed, Director of Planning and Inspections, introduced the need to hold a public hearing for the property at 320 Thorne Road. Mr. Reed noted that the rezoning would allow for the parcel to be subdivided into two building lots in the future. He noted the Planning and Zoning Board voted unanimously to recommend to Village Council that the rezoning be approved.

Audience member Jack Farrell noted concern for this rezoning. He noted that on April 24, 2014 Mr. Hicks purchased three lots. Mr. Farrell noted the need to maintain the integrity of the Village zones, codes, and ordinances and does not see the need to change this zoning in this neighborhood. Mayor Fiorillo commented that it is acceptable for communities to consider rezoning lots such as this.

Applicant and owner Michael Hicks noted that he spoke with every adjacent property owner and he has lived in the neighborhood for a long time. He noted the other properties in the area do vary in zoning and would be appropriate for this rezoning.

8. Public Hearing No. 2

The purpose of the public hearing is to consider an official text amendment to the Pinehurst Development Ordinance Section 9.4.1.2 (b) Location and Design of Parking Areas/Stacking Lanes. This amendment will allow parking areas serving public parks to be graded gravel rather than paved. The applicant is the Village of Pinehurst.

Kevin Reed, Director of Planning and Inspections, introduced the need to hold a public hearing to consider a text amendment to the development ordinance. Mr. Reed explained the intent of this amendment would be to allow for gravel parking areas within the PC Zoning District. This amendment would especially allow for the entirety of the parking area at the West Pinehurst Community Park to be gravel. Mr. Reed noted the Planning and Zoning Board voted unanimously to recommend to Village Council that the amendment be approved.

There were no audience comments.

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

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

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10. Consider a request for an extension of the preliminary plat approval for a 15-lot Major Subdivision located within The Country Club of North Carolina

Kevin Reed, Director of Planning and Inspections, introduced the request from John May, on behalf of East Lake Development, LLC, for an extension of the approval for the preliminary plat for a 15-lot Major Subdivision. He noted that pursuant to Section 9.17.1.6 (c) (1) the developer may request in writing to the Village Council a single one-year extension of the time limit, provided the request is made at least 30 days before the expiration date. Upon a motion by Councilmember Campbell, seconded by Councilmember Strickland, Council unanimously approved the request for an extension of the preliminary plat approval for a 15-lot Major Subdivision located within The Country Club of North Carolina by a vote of 5-0.

11. Discussion of the Deer Task Force Report.

Councilmember Strickland introduced the members of the Deer Management Task Force members. Councilmember Strickland outlined the process that the Village Council tasked the committee and he shared the survey and results conducted. Councilmember Strickland shared the Deer Management Task Force recommendations which included: enforcing the ordinance prohibiting the feeding of wildlife; holding public information programs to educate the public about ticks, deer on roadways, deer resistant plant material and best practices; conduct a loss control inspection with the NC League of Municipalities; and continued evaluation regarding a selective deer culling program. He explained that a final decision on whether or not to proceed with a selective culling program is not required at this time. Council held a discussion about the recommendations of the task force and posed questions to Councilmember Strickland. About the recommendations.

Audience member Stephanie Hill, attended for Maureen Horansky who had a family emergency. She shared two photos of deer who had been hit with a bow and arrow. She read the definition of culling from the dictionary and suggested sending an honest survey.

Audience member Geoffrey Spence noted he does not support culling and noted culling is a nice way to express killing. He noted seeing deer around his yard and how nice they are to have. He is fearful that a pet or child could get hurt in the process of culling.

Audience member David Jenkins, thanked the task force for their work and suggested that urban and suburban deer are invasive pests. He projected in 5 years the deer population could increase to 5,000. Mr. Jenkins suggests deer car accidents are underreported and he did agree with the landscape deterrents. He suggested trapping and killing as another option to consider but agreed that it needs to be a safe means.

Audience member Mary Whitmire, a one year resident of Pinewild, expressed concerns about the culling program in Pinewild and the possibility of culling in the Village. She questioned the number of complaints and the lack of documentation. She noted concern of the ways the deer would be culled and killed. Ms. Whitmire asked if investing money for killing is who we are as the Village and she asked the Village and task force to reconsider the results of the survey.

Audience member Denise Roberts recognized the task force for volunteering and noted that she does not believe we have a deer problem after living here for 15 years. Ms. Roberts supports educating the public but not culling. She asked the Village Council to extend the research for 12 additional months.

Audience member Kathryn Riffle explained she does not support culling and she referred to the inaccuracy of the survey. Ms. Riffle requested a list of the people that called the Village wanting to kill or cull the deer. Ms. Riffle commented that aggressive dogs are the issue and that deer are not a problem for the community.

Audience member Christine LaFavre from Shaw Road thanked the task force and Village Council for trying to solve a problem. Ms. LaFavre believes we have too many deer in the area and would like something to be done in a humane way before it becomes a larger problem.

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Council determined not to take action and explained a decision on the recommendations would be determined at a future Council meeting.

12. Discuss and consider a budget amendment for police body cameras and segways.

John Frye, Financial Services Director presented Council with a budget amendment for police body cameras and segways. He noted that the Police Department and Information Technology Department researched the items and obtained quotes on the equipment and the amendment would provide funding for 20 body cameras for Police personnel, two (2) Segway patrol vehicles, and an additional computer server to store the body camera video footage. Councilmember Cashion and Councilmember Campbell noted their interest in purchasing both the cameras and the Segways. Councilmember Strickland noted privacy issues with police cameras and Chief Phipps said we would model our policy from the international police chief's association policy. The Chief explained the timeline for the policy, training, and implementation would allow Pinehurst to be live in February. Upon a motion by Councilmember Cashion, seconded by Councilmember Phillips, Council unanimously approved Ordinance 14-40 amending the budget for the Village of Pinehurst for fiscal year 2015 to fund body cameras and Segways for Police personnel by a vote of 5-0. (A copy of the ordinance can be found in the Ordinance Book.)

13. Other Business

- Upon a motion by Councilmember Campbell, seconded by Councilmember Strickland, Council unanimously approved Ordinance 14-42 amending the Pinehurst Development Ordinance as it pertains to Section 9.4.1.2 (b) location and design of parking areas/stacking lanes for the Village of Pinehurst by a vote of 5-0. (A copy of the ordinance can be found in the Ordinance Book.)
- Upon a motion by Councilmember Cashion, seconded by Councilmember Phillips, Council approved Ordinance 14-41 amending the Official Pinehurst Zoning Map for 320 Thorne Road from R-20 to R-10 by a vote of 4-1, with the dissenting vote cast by Councilmember Strickland. (A copy of the ordinance can be found in the Ordinance Book.)
- Interim Village Manager Jeff Batton suggested selecting dates for the Village Council Quarterly Work Sessions. He suggested setting the date on the third Tuesday of those months, which would be January 20, April 21, July 21, and October 20. Council agreed to do this and to hold these meetings at 4:30pm.

14. Comments from attendees.

- Audience member Gerard Frederique of 38 West Lake Point Drive noted that he has a chronic storm water problem and it is impacting his property and others around him. He would like the Village to take a close look at this.

15. Motion to Adjourn.

Councilmember Cashion moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Strickland and carried unanimously. The Regular Meeting adjourned at 6:25 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk